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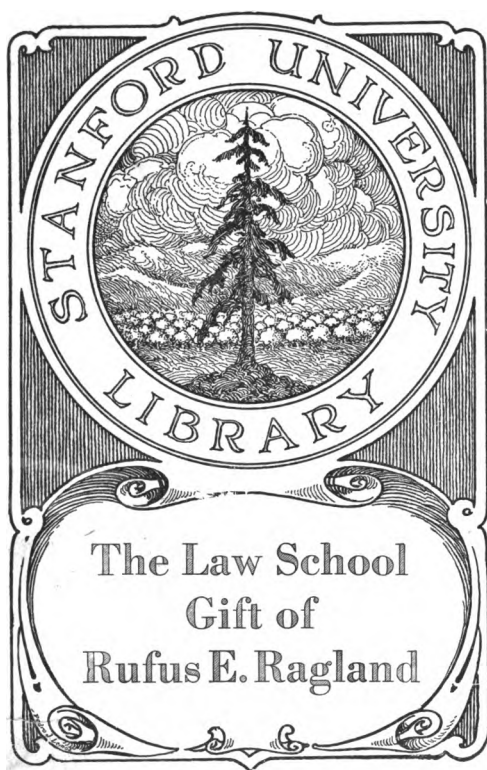
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Iowa Collections

PUBLIC LAWS

OF THE

STATE OF IOWA.

PASSED BY THE

FIFTEENTH GENERAL ASSEMBLY,

AT ITS SESSION

BEGUN JANUARY 12, AND ENDED MARCH 19, 1874;

BEING CHAPTERS 1 TO 71 ADDITIONAL TO THE CODE.

PUBLISHED BY AUTHORITY.

DES MOINES:
R. P. CLARKSON, STATE PRINTER.
1874.

NOTE.—The words inserted in brackets [thus] in the copies of the laws hereinafter printed are deemed necessary to complete the sense; while words in italics (except the enacting clause in each act, and the word "*Provided*," &c.,) indicate that such words are either superfluous or erroneous; in the latter case the word or words supposed to be correct follow in brackets.

JOSIAH T. YOUNG, Secretary of State.

COMMISSIONERS IN OTHER STATES.

List of Commissioners for Iowa in other States, qualified to act as such this 14th day of May, 1874, whose terms of office will not expire prior to July 4, 1874, published as required by Section 274 of the Code of 1873, showing the Name, Post-Office, and Date of Commission, Qualification, and Expiration of Commission.

CALIFORNIA.

NAME.	POST-OFFICE.	DATE OF COMMISSION.	DATE AFTER WHICH QUALIFIED TO ACT.	DATE OF EXPIRATION.
Samuel S. Murfey	San Francisco.	July 31, 1872	Aug. 7, 1872	Aug. 3, 1875
Frank V. Scudder	San Francisco.	March 20, 1873	April 4, 1873	April 3, 1876
N. Proctor Smith.....	San Francisco.	June 30, 1873	July 7, 1873	July 3, 1876
F. J. Thibault.....	San Francisco.	August 2, 1873	Aug. 29, 1873	Aug. 3, 1876
Edward Cadwalader.....	Sacramento....	Oct. 31, 1873	Nov. 11, 1873	Nov. 3, 1876
William Haskins.....	Oakland.....	April 18, 1874	May 4, 1874	May 3, 1877

CONNECTICUT.

Geo. W. Warner	Bridgeport	Dec. 9, 1871	Jan. 4, 1872	Jan. 3, 1875
David G. Gordon.....	Hartford	March 13, 1872	April 15, 1872	April 3, 1875
Henry E. Taintor	Hartford	April 10, 1873	May 4, 1873	May 3, 1876
Edward Goodman.....	Hartford	Aug. 27, 1873	Sept. 4, 1873	Sept. 3, 1876

DISTRICT OF COLUMBIA.

Ephraim Killpatrick...	Washington ...	June 18, 1873	July 4, 1873	July 3, 1876
John Bull.....	Washington ...	Sept. 4, 1873	Sept. 11, 1873	Sept. 3, 1876

GEORGIA.

John W. Burroughs	Savannah	May 28, 1873	June 4, 1873	June 3, 1876
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ILLINOIS.

S. S. Willard	Chicago.....	Dec. 20, 1871	Jan. 4, 1872	Jan. 3, 1875
Luther Laffin Mills	Chicago.....	Feb. 22, 1872	April 19, 1872	March 3, 1875
Henry Wisner	Chicago.....	Nov. 30, 1872	Dec. 30, 1872	Dec. 3, 1875
Frank M. Goodrich.....	Chicago.....	Jan. 30, 1873	Feb. 4, 1873	Feb. 3, 1876
John Calvin Wallis	Chicago.....	April 29, 1873	May 5, 1873	May 3, 1876
Philip A. Hoyne	Chicago.....	June 16, 1873	July 4, 1873	July 3, 1876
Simeon W. King	Chicago.....	July 1, 1873	July 4, 1873	July 3, 1876
Charles Knobelsdorff...	Chicago	May 4, 1874	May 15, 1874	May 14, 1877

LOUISIANA.

Oren D. Bragden.....	New Orleans ..	Sept. 3, 1872	Sept. 12, 1872	Sept. 3, 1875
John J. Barnett.....	New Orleans ..	March 12, 1873	April 4, 1873	April 3, 1876
Andrew Hero, Jr.....	New Orleans ..	Aug. 27, 1873	Sept. 4, 1873	Sept. 3, 1876

COMMISSIONERS IN OTHER STATES—CONTINUED.

MAINE.

NAME.	POST-OFFICE.	DATE OF COMMISSION.	DATE AFTER WHICH QUALIFIED TO ACT.	DATE OF EXPIRATION.
James O'Donnell.....	Portland.....	July 8, 1873	August 26, 1873	July 7, 1876

MARYLAND.

Wm. Quantmeyer.....	Baltimore.....	Sept. *3, 1872	Feb. 3, 1873	Sept. 3, 1875.
Wm. B. Hill.....	Baltimore.....	June 25, 1873	July 4, 1873	July 3, 1876
Henry L. Dulany.....	Baltimore.....	July 22, 1873	August 4, 1873	August 3, 1876
Wm. W. Latimer.....	Baltimore.....	Sept. 2, 1873	Sept. 5, 1873	Sept. 3, 1876
Henry Brock.....	Baltimore.....	March 24, 1874	April 4, 1874	April 3, 1877
Francis White.....	Baltimore.....	April 18, 1874	May 4, 1874	May 3, 1877

MASSACHUSETTS.

Henry F. Brown.....	Brimfield	Feb. 6, 1872	March 5, 1872	Feb. 15, 1875
Charles Hall Adams.....	Boston	June 4, 1872	July 4, 1872	July 3, 1875
Edw'd J. Jones.....	Boston	Feb. 18, 1873	March 26, 1873	March 3, 1876
Samuel Jennison.....	Boston	June 17, 1873	July 4, 1873	July 3, 1876
Horatio Woodman.....	Boston	June 16, 1873	July 4, 1873	July 3, 1876
James B. Bell	Boston	July 24, 1873	July 4, 1873	July 3, 1876
Rob't B. Caverly.....	Lowell	July 8, 1873	July 12, 1873	July 7, 1876
Stephen P. Webb.....	Salem	July 22, 1873	August 4, 1873	August 3, 1876
Wm. R. Plunkett.....	Pittsfield	Feb. 20, 1874	March 4, 1874	March 3, 1877
John L. Coffin.....	Boston	Feb. 25, 1874	March 4, 1874	March 3, 1877
Geo. F. Angell.....	Boston	March 26, 1874	April 4, 1874	April 3, 1877

MINNESOTA.

Chas. McCreeve.....	Minneapolis...	Feb. 13, 1872	March 4, 1872	March 3, 1876
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MISSOURI.

Arthur J. Barnes.....	St. Louis.....	Jan. 23, 1872	Feb. 5, 1872	Feb. 4, 1875
Thomas Whitaker.....	Buckley.....	March 7, 1872	March 9, 1872	March 6, 1875
John R. Boas.....	St. Louis.....	Nov. 15, 1872	Dec. 4, 1872	Dec. 3, 1875
Wm. M. McPherson, Jr.	St. Louis.....	March 20, 1873	April 4, 1873	April 3, 1876
C. D. Greene, Jr.....	St. Louis.....	July 22, 1873	Sept. 11, 1873	July 24, 1876

NEW HAMPSHIRE.

Wm. H. Hackett.....	Portsmouth.....	Sept. 2, 1873	Sept. 6, 1873	Sept. 3, 1875
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NEW JERSEY.

Isaac M. Andruss.....	Newark.....	August 4, 1871	Nov. 13, 1871	August 3, 1874
Geo. P. Kingsley.....	Orange	April 15, 1873	May 4, 1873	May 3, 1876

COMMISSIONERS IN OTHER STATES.

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NEW YORK.

NAME.	POST-OFFICE.	DATE OF COMMISSION.	DATE AFTER WHICH QUALIFIED TO ACT.	DATE OF EXPIRATION.
James W. Bentley.....	Albany	August 3, 1871	August 9, 1871	August 3, 1874
Edward Bissell.....	New York.....	Sept. 19, 1871	Oct. 4, 1871	Oct. 3, 1874
Fred'k W. Dunton.....	New York.....	Sept. 25, 1871	Oct. 4, 1871	Oct. 3, 1874
Joseph B. Lawrence.....	New York.....	Oct. 11, 1871	Nov. 4, 1871	Nov. 3, 1874
Rufus K. McHarg.....	New York.....	Oct. 20, 1871	Oct. 25, 1871	Oct. 24, 1874
Geo. R. Jaques.....	New York.....	Nov. 9, 1871	Dec. 4, 1871	Dec. 3, 1874
Joseph T. Brown.....	New York.....	Nov. 16, 1871	Dec. 15, 1871	Dec. 3, 1874
Chas. H. Smith, Jr.....	New York.....	Dec. 21, 1871	Jan. 4, 1872	Jan. 3, 1875
Wm. Butler.....	New York.....	Jan. 26, 1872	Feb. 5, 1872	Feb. 4, 1875
Wm. H. Clarkson.....	New York.....	Jan. 30, 1872	Feb. 5, 1872	Feb. 4, 1875
Arthur P. Rose.....	Geneva	Jan. 30, 1872	Feb. 19, 1872	Feb. 4, 1875
Mordecai Lewis.....	New York....	Feb. 3, 1872	Nov. 23, 1872	Feb. 4, 1875
Thomas Kilvert	New York.....	Feb. 14, 1872	March 6, 1872	March 3, 1875
John B. Dumont.....	New York.....	Feb. 16, 1872	April 25, 1872	April 1, 1875
Walter B. Wines.....	New York.....	March 8, 1872	April 11, 1872	March 15, 1875
William S. Burns.....	Bath	April 6, 1872	April 29, 1872	April 15, 1875
Horace Andrews.....	New York.....	May 25, 1872	June 4, 1872	June 3, 1875
Francis P. Burke.....	New York.....	June 25, 1872	August 1, 1872	July 3, 1875
Thomas F. Ward.....	New York.....	Sept. 25, 1872	Oct. 5, 1872	Oct. 3, 1875
Alfred Sully.....	New York.....	Sept. 25, 1872	Oct. 5, 1872	Oct. 3, 1875
Andrew W. Kent.....	New York.....	Nov. 2, 1872	Nov. 6, 1872	Nov. 3, 1875
J. G. F. Metcalf.....	New York.....	Nov. 15, 1872	Dec. 13, 1872	Dec. 3, 1875
James M. McKinlay....	New York.....	Dec. 27, 1872	Jan. 4, 1873	Dec. 31, 1875
Chas. Edgar Mills.....	New York.....	Jan. 23, 1873	Feb. 4, 1873	Feb. 3, 1876
Lucius W. How.....	New York.....	Jan. 23, 1873	Feb. 4, 1873	Feb. 3, 1876
Henry Bennett.....	New York.....	Jan. 24, 1873	Feb. 4, 1873	Feb. 3, 1876
Arthur W. Knapp.....	New York.....	Jan. 28, 1873	Feb. 4, 1873	Feb. 3, 1876
Geo. W. Browne.....	New York.....	Feb. 4, 1873	Feb. 15, 1873	Feb. 14, 1876
John A. Hillery.....	New York.....	Feb. 11, 1873	Feb. 18, 1873	Feb. 17, 1876
Marvin J. Merchant....	New York.....	April 3, 1873	April 7, 1873	April 3, 1876
Monroe Crannell.....	Albany	May 6, 1873	May 15, 1873	May 14, 1876
David W. Price.....	New York.....	June 2, 1873	June 12, 1873	June 3, 1876
James D. Warner.....	New York.....	June 12, 1873	June 16, 1873	June 15, 1876
Geo. Woodman.....	New York.....	June 16, 1873	July 9, 1873	July 8, 1876
Henry C. Banks.....	New York.....	June 20, 1873	July 4, 1873	July 3, 1876
Joseph B. Nones.....	New York.....	June 23, 1873	July 4, 1873	July 3, 1876
Frederick R. Anderson	New York.....	July 1, 1873	July 7, 1873	July 3, 1876
John Bissell.....	New York.....	July 12, 1873	July 16, 1873	July 11, 1876
Edwin F. Corey, Jr.....	New York.....	July 22, 1873	Aug. 19, 1873	July 7, 1876
Chas. Nettleton.....	New York.....	July 22, 1873	Sept. 10, 1873	July 7, 1876
Edward Wade.....	Albany	July 22, 1873	July 26, 1873	July 7, 1876
William Savage.....	New York.....	Aug. 2, 1873	Aug. 19, 1873	Aug. 3, 1876
David McAdam	New York.....	Aug. 14, 1873	Aug. 19, 1873	Aug. 14, 1876
Armour C. Anderson...	New York.....	Oct. 31, 1873	Nov. 5, 1873	Nov. 3, 1876
Joseph Hillman.....	Troy	Dec. 15, 1873	Dec. 22, 1873	Dec. 21, 1876
Harold A. Bagley.....	New York.....	Dec. 8, 1873	Dec. 15, 1873	Dec. 14, 1876
Wm. F. Lett.....	New York.....	Jan. 16, 1874	Feb. 4, 1874	Feb. 3, 1877
Wm. E. Osborn.....	Brooklyn	Feb. 3, 1874	March 17, 1874	Feb. 3, 1877
James Taylor.....	New York.....	Feb. 21, 1874	March 2, 1874	March 1, 1877
Geo. W. Colles.....	New York.....	March 3, 1874	March 11, 1874	March 3, 1877

COMMISSIONERS IN OTHER STATES—CONTINUED.

OHIO.

NAME.	POST-OFFICE.	DATE OF COMMISSION.	DATE AFTER WHICH QUALIFIED TO ACT.	DATE OF EXPIRATION.
James Finley Brown ...	Columbus	May 7, 1872	July 24, 1872	June 3, 1873
Saml. S. Carpenter.....	Cincinnati	July 8, 1873	July 12, 1873	July 7, 1876
James Wade, Jr.....	Cleveland	July 22, 1873	Aug. 4, 1873	Aug. 3, 1876
Howard Douglas	Cincinnati	Sept. 2, 1873	Sept. 5, 1873	Sept. 3, 1876

PENNSYLVANIA.

Albert L. Wilson	Philadelphia...	Jan. 26, 1872	Feb. 10, 1872	Feb. 4, 1875
Henry E. Hindmarsh...	Philadelphia...	March 13, 1872	April 4, 1872	April 3, 1875
Benjamin Grant.....	Erie	May 25, 1872	June 4, 1872	June 3, 1875
H. P. Roche.....	Philadelphia...	June 20, 1872	July 4, 1872	July 3, 1875
Henry Phillips, Jr.....	Philadelphia...	Nov. 11, 1872	Nov. 29, 1872	Nov. 28, 1875
Chas. Chauncey	Philadelphia...	Nov. 19, 1872	Dec. 4, 1872	Dec. 3, 1875
F. Herbert Janvier	Philadelphia ..	Jan. 7, 1873	Feb. 15, 1873	Feb. 14, 1876
William B. Wiley	Lancaster	Feb. 13, 1873	March 4, 1873	March 3, 1876
Henry Reed	Philadelphia...	March 25, 1873	April 12, 1873	April 3, 1876
Edward Shippen	Philadelphia...	June 16, 1873	July 4, 1873	July 3, 1876
Kinley J. Tener.....	Philadelphia...	June 16, 1873	July 4, 1873	July 3, 1876
John Russell.....	Philadelphia...	July 1, 1873	July 7, 1873	July 3, 1876
Wm. F. Robb	Pittsburg.....	July 2, 1873	July 7, 1873	July 3, 1876
Saml. L. Taylor.....	Philadelphia...	July 8, 1873	July 12, 1873	July 7, 1876
John Howell Wheeler ..	Philadelphia...	July 8, 1873	July 12, 1873	July 7, 1876
Theo. D. Rand	Philadelphia...	Aug. 2, 1873	Aug. 6, 1873	Aug. 3, 1876
Joshua Spering.....	Philadelphia...	Aug. 27, 1873	Sept. 4, 1873	Sept. 3, 1876
Samuel B. Huey	Philadelphia...	Sept. 23, 1873	Oct. 4, 1873	Oct. 3, 1876
John Sparhawk	Philadelphia...	Oct. 31, 1873	Nov. 4, 1873	Nov. 3, 1876
Edward D. Ledyard.....	Philadelphia...	Dec. 1, 1873	Dec. 9, 1873	Dec. 3, 1876
Joseph S. Perot.....	Philadelphia...	March 17, 1874	April 10, 1874	April 3, 1877
J. Paul Diver.....	Philadelphia...	March 17, 1874	March 23, 1874	March 15, 1877

RHODE ISLAND.

Charles Selden	Providence.....	March 3, 1874	March 16, 1874	March 15, 1877
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SOUTH CAROLINA.

Augustus E. Cohen	Charleston	July 29, 1872	Aug. 5, 1872	Aug. 3, 1875
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TENNESSEE.

Henry F. Dix.....	Memphis.....	Sept. 16, 1871	Oct. 12, 1871	Oct. 3, 1874
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COMMISSIONERS IN OTHER STATES—CONTINUED.

VERMONT.

NAME.	POST-OFFICE.	DATE OF COMMISSION.	DATE AFTER WHICH QUALIFIED TO ACT.	DATE OF EXPIRATION.
William S. Newton.....	Brattleboro ...	March 28, 1873	May 1, 1873	April 3, 1876

VIRGINIA.

John S. Rady	Richmond	Aug. 20, 1872	Sept. 4, 1872	Sept. 3, 1875
Geo. C. Holt	Halifax C. H....	Dec. 1, 1873	Dec. 6, 1873	Dec. 3, 1876

UTAH TERRITORY.

William Clayton	Salt Lake	Feb. 17, 1872	March 4, 1872	March 3, 1875
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*This is the correct title, that appearing in the body of the book being defective.

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* Erroneously printed 946 in the title to the published act.

† Erroneously given as Title.

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51	An Act to Authorize Cities and Towns to Provide for the Improvement of Alleys. [Amendatory of Code, Title IV., Chapter 10: "Of the Incorporation of Cities and Towns"].....	S. F. 129	40
52	An Act to Amend Section 509 of the Code of 1873 [Title IV., Chapter 10: "Of Cities and Incorporated Towns"].....	S. F. 125	41
53	An Act to Amend Sections 1386, 1392, 1436, and 1438 of Chapter Two, Title Eleven of the Code [relating to the Care of the Insane]	S. F. 230	41

*Improperly referred to in the body of the book as amendatory of Title XI., Chapter 4.

† Appears in body of book erroneously: "Chapter 12."

CHAPTER.	TITLE.	NO. OF BILL AND WHERE INTRODUCED.	PAGE.
54	An Act to Authorize the Resurvey and Platting of City or Town Plats, or Additions thereto, in cases where the original Plats have been lost and not Acknowledged or Recorded. [Additional to Code, Title IV., Chapter 12: "Of Plats."]	S. F. 191	42
55	An Act to Amend Section 1144, of Chapter 4, of Title IX. of the Code [relating to Insurance Companies]	S. F. 200	44
56	An Act to Amend Sections 3181 and 3182 of the Code of 1873 [Title XIX., Chapter 2: "Of Appellate Proceedings in the Supreme Court"]	S. F. 138	44
57	An Act to Provide for holding Teachers' Normal Institutes. [Amendatory of Code, Title VII., Chapter 9: "Of the System of Common Schools."]	S. F. 119	45
58	An Act to Fix the Compensation of State Printer and State Binder. [Amendatory of Code, Title XXII., Chapter 1, relating to the Compensation of State and District Officers.]	H. F. 19	46
59	An Act to Prohibit the Encouragement of Minors to remain in certain Buildings. [Additional to Code, Title XXIV., Chapter 11*, relating to Offenses against Public Policy.]	S. F. 121	46
60	An Act to Provide for the Organization and Management of Savings Banks. [Additional to Code, Title XI., Chapter 9: "Of Quarterly Bank Statements."]	S. F. 48	47
61	An Act in relation to Vacation of Town-Plats. [Additional to Code, Title IV., Chapter 12: "Of Plats."]	S. F. 269	57
62	An Act to Amend Section 906 of the Code [Title VI., Chapter 2: "Of the Collection of Taxes"]	S. F. 244	58
63	An Act to Amend Section 812, Chapter 1, Title 6, Code of Iowa [relating to the Assessment of Taxes]	H. F. 45	58
64	An Act to Establish and Maintain Industrial Expositions in Public Schools of the State. [Additional to Code, Title XII., Chapter 9: "Of the System of Common Schools."]	S. F. 170	59
65	An Act to Amend Section 1260, Chapter 4, Title 10, of the Code of Iowa [relating to taking Private Property for Works of Internal Improvement]	S. F. 70	59
66	An Act to Amend Section 800 of the Code of 1873 [Title VI., Chapter 1: "Of the Assessment of Taxes"]	H. F. 334	60
67	An Act Allowing School-Districts lying in two Adjoining Counties the Right to vote Mills instead of specific Sums for School Purposes. [Additional to Code, Title XII., Chapter 9: "Of the System of Common Schools."]	H. F. 193	60
68	An Act to Establish Reasonable Maximum Rates of Charges for the Transportation of Freight and Passengers on the different Railroads of this State. [Amendatory of Code, Title X., Chapter 5: "Of Railways."]	{ S. F. 12, 13 25, 26, 49, 66 73 and 104	61
69	An Act to Repeal Section 4048, Title XXIV., Chapter 11, of the Code, and to Enact a Substitute in Lieu thereof.		
70	An Act to Amend Chapter 3, Title XI. of the Code, in Relation to Domestic and other Animals.	S. F. 212	91
71	An Act to regulate the leasing of lands belonging to the Iowa State Agricultural College. [Amendatory of Title XII., Chapter 3.]	H. F. 216	93

*Erroneously published "Chapter 12" in the body of the work.

PUBLIC LAWS
OF THE
FIFTEENTH GENERAL ASSEMBLY
OF THE
STATE OF IOWA.

PASSED AT THE REGULAR SESSION THEREOF, HELD AT DES
MOINES, THE CAPITAL OF THE STATE, BEGUN ON THE
TWELFTH DAY OF JANUARY, AND ENDED
ON THE NINETEENTH DAY OF
MARCH, A. D. MDCCCLXXIV.

CHAPTER 1.

STATIONERY FOR LEGISLATIVE COMMITTEES.

AN ACT to Authorize the Secretary of State to Furnish Stationery for S. F. 65.
the Use of standing or select Committees of the General Assembly,
or either Branch thereof. [Additional to Code, Title I., Chapter 2:
"Of the General Assembly."]

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That it is hereby made the duty of the secretary of state to furnish to and supply the standing committees of the senate and house of representatives, and any select or special committees that are or may be raised or appointed by the general assembly, or either branch thereof, with all the stationery necessary for the use of such committees.

Duty of secretary of state.

Stationery for committees of general assembly.

SEC. 2. That, in order to draw such stationery, the chairman of each of said committees shall from time to time, as he may deem necessary, make out his requisition on the secretary of state for the amount and kind *that is* deemed necessary, and upon presentation thereof, to said secretary, he shall deliver the same to said chairman and take a receipt therefor, which requisition

Mode of drawing same.

and receipt shall be filed in the office of said secretary, and shall be a sufficient voucher to him for such stationery.

SEC. 3. This act, being deemed of immediate importance, shall be in force from and after its publication in *The Daily State Register* and *Daily State Leader*, newspapers published at Des Moines, Iowa, anything contained in chapter three of the code to the contrary notwithstanding.

Approved February 5th, 1874.

I hereby certify that the foregoing act was published at Des Moines in *The Iowa Daily State Register*, and *The Iowa Daily State Leader*, February 7, 1874.

JOSIAH T. YOUNG, Secretary of State.

CHAPTER 2.

LIFE INSURANCE COMPANIES.

S. F. 88. AN ACT to Amend Chapter Five of Title Nine of the Code, ["Of Life Insurance Companies,"] and to Release certain Penalties.

Code: § 1166. SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That section 1166 of said code be and the same is hereby repealed, and in lieu thereof is enacted the following:

Agent of life insurance company must obtain auditor's certificate before doing business.

"Section 1166. No agent shall act for any company referred to in the foregoing section, directly or indirectly, in taking risks, collecting premiums, or in any manner transacting the business of life insurance in this state, without procuring from said auditor a certificate of authority, stating that the foregoing requirements have been complied with, and setting forth the name of the attorney for each company, a certified copy of which certificate shall be filed in the county recorder's office of the county where the agency is to be established, and shall be the authority of such company and agent to commence business in this state, and such company, or its agent or attorney, shall, annually, by the first day of April, file with the auditor of state a statement of its affairs for the year terminating on the 31st day of December preceding, in the same manner and form provided for similar companies organized in this state."

Company's annual statement to be made by April 1st.

§ 1167. SEC. 2. That section 1167 of said code be amended by striking out of the third line of said section the words "or doing business in this state."

§ 1170. SEC. 3. That section 1170 of said code be and the same is hereby repealed, and in lieu thereof is enacted the following:

Company's annual certificate.

"Section 1170. On receipt of the deposit and statement from any company as provided in the preceding sections, and the statement and evidence of investment according to law of foreign companies, which shall be renewed annually, the auditor shall issue a certificate setting forth the corporate name of the company; its principal office or agency in the State; that it has fully complied with the laws of this State in relation to

"life insurance companies, and is authorized to transact the business of life insurance for twelve months from the date of such certificate, or until the expiration of the thirty days' notice given by the auditor of the next annual valuation of its policies, said certificate to expire on the first day of April in the year following after it is issued." Expiration of same.

SEC. 4. That section 1171 of said code be and the same is hereby repealed and in lieu thereof is enacted the following: "Section 1171. Upon the failure of any company organized in this state to make the deposit, or file the statement in the time stated herein, the auditor shall notify the attorney-general of the default, who shall at once apply to the district or circuit court if in session, or, if in vacation, to any judge thereof, for an order requiring said company to show cause why its business shall not be closed; and, if upon hearing the company shall fail to show sufficient cause for neglecting to make the deposit, or file the statement required by this chapter, then the court shall decree its dissolution. Companies organized and chartered by the laws of any foreign state or country, failing to file the evidence of deposit and the statement within the time stated herein, shall be subject to the penalties prescribed in section 1177." § 1171.
Penalty for failure to make deposit or statement: home companies;
Foreign companies.

SEC. 5. That section 1177 of said code be and the same is hereby repealed, and the provisions of subdivision one of section forty-five of the code shall in no way apply to this repeal, and in lieu of said section 1177 is enacted the following: "Section 1177. Any company doing business in this State without the certificate required by section (1170) eleven hundred and seventy of this chapter, shall forfeit one hundred dollars for every day's neglect to procure said certificate. Any agent making insurance, or soliciting applications for any company having no certificate from the auditor, shall forfeit the sum of three hundred dollars, and any person acting for a company authorized to transact business in this state, without having the certificate prescribed in section 1166, issued by the auditor of state, in his possession, shall be liable to pay twenty-five dollars for each day's neglect to procure such certificate." § 1177 repealed.
Penalty for doing business without certificate: company; agent.

SEC. 6. Section 1178 of said code is hereby repealed, and the provisions of subdivision one of section 45 of the code shall not apply to this repeal, and in lieu of said section 1178 is enacted the following: "Section 1178. Suits brought to recover any of the penalties provided for in this chapter shall be instituted in the name of the State of Iowa by the district-attorney of the district, under the direction and by the authority of the auditor of state, and may be brought in the district or circuit court of any county in which the company proceeded against is engaged in the transaction of business, or in which the agent resides, in cases in which the proceeding is against the agent individually. Said penalties when recovered shall be paid into the state treasury for the use of the school-fund." § 1178 repealed;
New section.
Recovery of penalties.
To be paid into state treasury.

SEC. 7. That in all cases in which any of the life insurance companies doing business in this state, or their agents, have heretofore failed to file the statements with the auditor of state, and to

1868; ch. 173.
Title IX, ch. 5.

Penalties re-
leased in cer-
tain cases.

Publication
clause.

procure the certificates, required by the provisions of chapter 173 of the acts of the 12th general assembly, and of chapter (5) five of title nine (9) of the code of Iowa, within the times therein limited, but have, in fact, subsequently filed such statements, and procured certificates from the auditor of state, such filing of said statements and procuring of certificates shall be taken and deemed to be a fulfillment of the requirements and provisions of said acts above named, on the part of said companies and their agents, and shall have the same force and effect as though such statements had been filed and the certificates had been issued within the times limited and fixed in said chapter 173 of the acts of the twelfth (12th) general assembly, and chapter five (5) of title nine (9) of the code of Iowa, and no fine, penalty, or forfeiture shall be held or deemed to have been incurred by any of said companies, or their agents, through the transaction of business by said companies or their agents previous to the issuing of the said certificates by the auditor of state; and all forfeitures, fines, and penalties heretofore incurred by any of said life insurance companies, or by the agents thereof, be and the same are hereby released, remitted, and discharged.

SEC. 8. This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in The Daily State Register and Iowa Daily Leader, newspapers published at Des Moines, Iowa, without expense to the State.

Approved February 6th, 1874.

I hereby certify that the foregoing act was published at Des Moines in *The Daily Iowa State Register* and *The Iowa Daily State Leader* February 7, 1874.

JOSIAH T. YOUNG, Secretary of State.

CHAPTER 3.

PAYMENT OF MEMBERS, OFFICERS, AND EMPLOYEES OF THE GENERAL ASSEMBLY.

H. F. 113.

AN ACT to amend Section 12, of Chapter 2, of the Code, and to Provide for the Payment of the Members, Officers, and Employees of the General Assembly.

Be it enacted by the General Assembly of the State of Iowa:

Code § 12.

SECTION 1. That there be added to section twelve (12) of chapter two (2) of the code the words following, to-wit:

Mode of pay-
ing mileage of
members of
general as-
semb. y.

"Within thirty days after the convening of the general assembly, the presiding officers of the two houses shall jointly certify, to the auditor of state, the names of the members, officers, and employees of their respective houses, and the amount of mileage due each member respectively, who shall thereupon draw a warrant upon the state treasurer for the amount due each member for mileage as above certified. He shall also issue to each member of

the general assembly, at the end of the said thirty days, a warrant for one-half the salary due each member for the session, and the remaining one-half at the close of the session, and *that* at the close of any extra or adjourned session the compensation of the members shall be paid upon certificate of the presiding officers of each house, showing the number of days of allowance and the compensation as provided by law." Same of salary.

SEC. 2. He shall also issue to each officer and employee of the general assembly, upon the certificate of the presiding officer of the house to which such officer or employee belongs, a warrant, from time to time, for the amount due said officer or employee for services rendered. Payment of officers and employees.

SEC. 3. He shall also issue warrants from time to time, to the postmaster, assistant postmaster, and mail-carrier, upon certificates signed by the president of the senate and the speaker of the house, for the amount due said officers for services rendered. Same.

SEC. 4. Said warrants shall be paid out of any moneys in the treasury not otherwise appropriated. Payment of warrants.

SEC. 5. This act shall take effect immediately from and after its publication in *The Iowa Daily State Register* and *Daily State Leader* anything in the code to the contrary notwithstanding. Publication clause.

Approved February 17th, 1874.

I hereby certify that the foregoing act was published in *The Iowa Daily State Leader* February 18, and in *The Iowa Daily State Register* February 19, 1874.

JOSIAH T. YOUNG, Secretary of State.

CHAPTER 4.

STATE AGRICULTURAL SOCIETY.

AN ACT to repeal section 1105.

S. F. 1.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That section 1105 of the code be and the same is hereby repealed. Appropriation to State Agricultural Society discontinued.

SEC. 2. This act being deemed of immediate importance by the general assembly shall take effect from and after its publication in *The Iowa State Register* and the *Iowa State Journal*, published at Des Moines, Iowa. Publication clause.

Approved February 19th, 1874.

I hereby certify that the foregoing act was published at Des Moines in *The Daily State Journal* February 19, and in *The Daily Iowa State Register* February 20, 1874.

JOSIAH T. YOUNG, Secretary of State.

CHAPTER 5.

RAILROAD AND WAGON BRIDGES.

H. F. 179. AN ACT to Empower Cities and Towns to make Contracts with Railroad and Bridge Companies for the Use of Wagon-Bridges across Rivers.

Be it enacted by the General Assembly of the State of Iowa:

Cities may contract with owners of bridges for use of same.

SECTION 1. That all cities situate on any river in the state, whether organized and existing under special charter or by general law, and from which to the opposite shore of any of said rivers a bridge has been or may be constructed by any railroad or other private company, corporation, or person, shall have power to contract, with the company, corporation, or person owning such bridge, for the use of the same as a public highway, jointly with any company, corporation, or person having or desiring the right to use the same for the passage of cars propelled by steam, or otherwise, and in such contract may have the right to assume sole liability for damage to persons or property by reason of their being on any part of said bridge or on an approach to either end thereof caused by the running of cars or locomotives by any corporation, company, or person entitled to use said bridge, whether such damage results from the negligence of the persons engaged in running said cars or locomotives or otherwise; and to indemnify and save harmless the owners of said bridge, and any or all corporations, companies, or persons entitled to use the same, from all liability for damage so caused; and said city may thereafter manage and control said bridge either as a free or a toll bridge, and prescribe such rates of toll as to it from time to time shall seem proper, and make all necessary police regulations for the government of said bridge.

May assume liability for damage to persons and property.

May control such bridges.

PUBLICATION clause.

SEC. 2. This act being deemed of immediate importance shall be in force from and after its publication in *The Iowa Daily State Leader*, published in the city of Des Moines, and *The Dubuque Herald*, published in the city of Dubuque.

Approved February 19th, 1874.

I hereby certify that the foregoing act was published at Des Moines in *The Iowa Daily State Leader* February 23, and in *The Dubuque Herald* February 25, 1874.

JOSIAH T. YOUNG, Secretary of State.

CHAPTER 6.

RAILWAYS IN CITIES AND TOWNS.

AN ACT to Amend Section 464 [Chapter 10, Title IV., "Of Cities s. F. 59. "and Incorporated Towns,"] of the Code of 1873.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That section 464, of the code of 1873, be amended by striking out of said section the words, "Compensation of injuries arising from regrade of streets, in section 470 of this chapter," and adding thereto, in lieu thereof, the following words, "Taking private property for works of internal improvement, in chapter 4 of title 10 of the code of 1873." Code: § 464. § 470. Compensation for injury caused by railways in cities and towns.

SEC. 2. This act being, by the general assembly, deemed of immediate importance shall take effect and be in force from and after its publication in The Daily Iowa State Register and Daily State Leader, newspapers published in Des Moines, Iowa, Approved March 2d, 1874. Publication clause.

I hereby certify that the foregoing act was published in Des Moines in *The Iowa Daily State Leader* March 3, and in *The Daily Iowa State Register* March 4, 1874.

JOSIAH T. YOUNG, Secretary of State.

CHAPTER 7.

COMPENSATION OF TRUSTEES OF AGRICULTURAL COLLEGE.

AN ACT to Pay the Board of Trustees of the Iowa State Agricultural College and Farm. [Amendatory of Chapter 3, Title XII., of the Code.] s. F. 87.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That the auditor of state is hereby authorized to audit and allow the claims of the board of trustees from and after the first day of September, 1873, in accordance with section 1608 of the code of 1873. Auditor to audit pay of trustees of agricultural college.

SEC. 2. This act, being deemed of immediate importance, shall take effect from and after its publication in The Iowa State Register, and Iowa State Leader, newspapers published in Des Moines, Iowa. Publication clause.

Approved March 5th, 1874.

I hereby certify that the foregoing act was published in Des Moines in *The Iowa Daily State Leader* March 6, and in *The Daily Iowa State Register* March 8, 1874.

JOSIAH T. YOUNG, Secretary of State.

CHAPTER 8.

PERMANENT SURVEY OF LANDS.

S. F. 98. AN ACT to Provide for the Permanent Survey of Lands.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That, whenever the owner or owners of adjacent tracts of land shall desire to establish permanently the lines and corners thereof between them, he, she, or they may enter into a written agreement to employ and abide by the survey of some surveyor; and after said survey is completed, a plat thereof with a description of all corners and lines plainly marked and described thereon, together with the written agreement of the parties, shall be recorded in the recorder's office of the county where the lands are situated: or after any survey of lands is completed and the parties interested therein as owners are satisfied with such survey, or when the owners of adjoining lands desire to perpetuate existing lines and corners heretofore made between them, it shall be lawful for them to cause a plat thereof to be made with a description of all such lines and corners made thereon, which plat shall be acknowledged before some officer authorized to take the acknowledgment of deeds, and signed by each of said owners as an agreement between them so far as relates to such lines and corners; all of which shall be recorded in the recorder's office of the county in which the lands are situated; and the lines and corners so made, and described and recorded, shall be binding upon the parties entering into said agreement and signing said plats, their heirs, successors, and assigns, and shall never be changed.

Record. Surveys upon agreement of owners of adjacent lands.
Plats of completed surveys.
Perpetuation of existing lines and corners.
Record. Lines and corners binding.

SEC. 2. Whenever one or more proprietors of land in this state, the corners and boundaries of whose lands are lost, destroyed, or *are* in dispute, or who are desirous of having said corners and boundaries permanently established, *and who* will not enter into agreement as provided by section first of this act, it shall be lawful for said proprietor or proprietors that they shall cause a notice in writing to be served on the owner or owners of adjacent tract or tracts, if known and residing in the county where said lands are situated, or if not known and not residing in such county, by publishing in a newspaper published in such county, and if no newspaper shall be published then by putting up in four different public places in said county, a written or printed notice to the effect that on a day named therein he, she, or they will make application to the district court of the county in which said lands are situated, at its next succeeding term, for the appointment of a commission of one or more surveyors to make survey of and permanently establish said corners and boundaries, which notice shall be posted up at least four weeks before the time appointed for said application; and one of said notices shall be in the precinct or township in which said corners and boundaries are situated.

Mode of obtaining survey where owners do not agree to same.
Notice; and how served.

SEC. 3. Upon the filing of proper petition and proof of due notice aforesaid, the said court shall appoint a commission of one or more surveyors, entirely disinterested, to make said survey, who shall proceed to make said survey and report his or their proceedings to that or the next term of said court, accompanied by a plat and notes of said survey; and each of said surveyors shall be authorized to administer an oath to any of the assistants necessary in the execution of said survey, to faithfully and impartially perform their respective duties, and take the evidence under oath administered by the surveyor, and incorporate the same with his or their survey, of any person or persons, who may be able to identify any original government corner, or witness thereto, or government line, tree, or other noted object, or any other legally established corner, or other corners that have been recognized as such by the adjoining proprietors for over ten years.

District court to appoint commission to survey and report.

Oath.

Evidence.

SEC. 4. Upon the filing of said report, any person whose interests may be affected by said survey shall be at liberty to enter his objections to said report, and the court shall hear and determine said objections, and enter an order or judgment either approving or rejecting said report, or modifying and amending the same according to the rights and interests of the parties, or may refer the same back to said commission to correct their report and survey in conformity with the judgment of the court; or the court may for good reason set aside said commission and appoint a new one, who shall proceed anew, and determine the boundaries and corners of the lands in question. The corners and boundaries established in said survey, as approved in the final judgment of the court, if not appealed from within thirty days, shall be held and considered as permanently and unalterably established according to said survey. The expenses and costs of the surveys and suit shall be apportioned among all the parties according to their respective interests.

Objections to report.

Order of court.

Report set aside.

Survey final, when.

Costs to be apportioned.

Approved March 5th, 1874.

CHAPTER 9.

COUNTY INDEBTEDNESS.

AN ACT to Amend Section 289 and Section 290 of the Code of 1873 H. F. 81.
[Title IV., Chapter 1: "Of Counties."]

Be it enacted by the General Assembly of the State of Iowa, That section 289 of the code of 1873 be amended as follows: Any county may fund debt existing January 1, 1874.
Strike out, in the first and second lines of said section, the words, "Having a population exceeding seven thousand inhabitants";—
strike out of the third line of said section, the figures "1872" and insert the figures "1874";—strike out of section 290, eighth line, the figures "1872" and insert the figures "1874."

Approved March 5th, 1874.

CHAPTER 10.

APPEARANCE IN CIVIL PROCEEDINGS.

H. F. 123. AN ACT to Amend Section 2626 of the Code of Iowa. [Title XVII., Chapter 6: "Of the Manner of Commencing Actions."]

Be it enacted by the General Assembly of the State of Iowa,
Code: § 2626. That section 2626 of the code of Iowa be and the same is hereby amended by adding thereto, as subdivision 4 of said section, the following:

Members of
general as-
sembly not
required to
answer civil
proceeding
during ses-
sion.

Nor any per-
son on holi-
days.

"4. No member of the general assembly shall be held to appear or answer any civil action or special proceeding, in any court of record, or inferior court, while such general assembly is in session, nor shall any person be so held to answer or appear, in any such court, on the 1st day of January, the 4th day of July, the 25th day of December, or on any day of thanksgiving appointed by the president of the United States or by the governor of this state."

Approved March 5th, 1874.

CHAPTER 11.

PENALTY FOR LARCENY.

S. F. 31. AN ACT to Repeal Sections 3903 and 3904 of the Code of 1873, [Title XXIV., Chapter 4: concerning "Larceny and Receiving Stolen Goods,"] and to Provide a Substitute therefor.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That sections 3903 and 3904 of the code of Iowa of 1873 be and the same are hereby repealed and the following is enacted in lieu thereof:

Penalty for
larceny: in
night time.

"Sec. 3903. If any person in the night-time commit larceny in any dwelling-house, store, or any public or private building, or in any boat, vessel, or water-craft when the value of the property stolen exceeds the sum of twenty dollars, he shall be imprisoned in the penitentiary not exceeding ten years; and, when the value of the property stolen does not exceed twenty dollars, by fine not exceeding three hundred dollars and imprisonment in the county jail not exceeding one year.

In day-time.

"Sec. 3904. If any person in the day-time commit larceny as specified in the preceding section, and the value of the property stolen exceeds twenty dollars, he shall be punished by imprisonment in the penitentiary not more than five years; and, when the value of the property stolen does not exceed twenty dollars, by fine not exceeding two hundred dollars and imprisonment in the county jail not exceeding one year."

Approved March 5th, 1874.

CHAPTER 12.

TERMS OF COURT.

AN ACT to Amend Section No. 165 of the Code. [Title III., Chapter H. F. 65.
5: "Of the District and Circuit Courts and Judges thereof."]

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That section No. one hundred and sixty-five (165) of the code be amended by striking out in the first line thereof the words "one term" and inserting therein in lieu thereof the words "two terms."

Two terms of court in each county.

SEC. 2. That the district and circuit judges of each judicial district, wherein any county is situated for which a less number of terms of court has been appointed for the year A. D. 1875 than is provided by section No. 165 of the code as herein amended, shall on or before the first Monday in December A. D. 1874 redesignate and fix, in the manner by law provided, the times of holding said courts in the several counties thereof, for the year A. D. 1875, in accordance with said section of the code, as by act amended.

Mode of applying the act to 1875.

Approved March 7th, 1874.

CHAPTER 13.

BURGLAR TOOLS OR IMPLEMENTS.

AN ACT for the Punishment of Persons having in their Possession Burglar Tools or Implements with Intent to Commit the Crime of Burglary. [Additional to Chapter 3, Title XXIV., Code, concerning "Offenses against Property."]

H. F. 220.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That if any person shall be found, having in his possession at any time any burglar tools or implements, with intent to commit the crime of burglary, he shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding one hundred dollars, or by imprisonment in the county jail not exceeding thirty days, and it shall be the duty of the court before whom such conviction is had to retain possession of such burglar tools or implements, to be used in evidence in any court in which said person is tried.

Possession of burglar tools or implements a misdemeanor.

Penalty.

Court to retain same.

Approved March 10th, 1874.

CHAPTER 14.

RELATING TO STEAM-BOILERS.

H. F. 53. AN ACT to Punish Carelessness in the Use of Steam-Boilers. [Additional to Code, Title XI., "Of the Police of the State," and Title XXIV., Ch. 11, concerning "Offenses against Public Policy."]

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That it shall be the duty of any person own[ing] or operating steam-boilers in this State to provide such boilers with steam-gauge, safety-valve, and water-gauge and keep the same in good order.

Steam boilers,
how to be
equipped.

SEC. 2. That any person neglecting to comply with the provisions of this act shall be deemed guilty of a misdemeanor and shall be punished by fine not less than fifty nor more than five hundred dollars.

Fine for neg-
lect, \$50 to \$500.

Approved March 12th, 1874.

CHAPTER 15.

DISTRIBUTION OF COPIES OF THE CODE.

S. A. 30. AN ACT to Provide State Institutions, Justices of the Peace, and Township Clerks with Copies of the Code.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That it shall be the duty of the auditor of each county in the state to furnish to any state institution in his county, and to each justice of the peace and township clerk of such county, a copy of the code, and take a receipt therefor, which receipt shall be a sufficient voucher for the county auditor in his settlement with the auditor of state: *Provided*, Such distribution can be made without a reprint of the code.

County audi-
tor to furnish
code to public
institutions,
justices, and
township
clerks.

SEC. 2. In all cases where the county auditors have already furnished copies of the code to the justices of the peace or township clerks or any of them in their respective counties, such action by said county auditors is hereby legalized, and his sworn statement of the number of copies, so furnished, shall be a sufficient voucher therefor in his settlement with the auditor of state.

Where al-
ready furnis-
hed, legalized.

SEC. 3. Should the number of copies of the code in the possession of any county auditor at time of taking effect of this act be insufficient for the purposes hereinbefore mentioned, it shall be lawful for him to draw upon the secretary of state [for the] number required to make up the deficiency, who shall as soon as practicable thereafter transmit the same to such county auditor, and shall certify to the auditor of state the number of copies so transmitted by him. The auditor of state shall charge to such county auditor the number of copies of the code furnished him by the state, and shall credit him with such as have been or may

County audi-
tor may draw
upon secreta-
ry of state,
when.

be disposed of as provided in the first and second sections of this act.

SEC. 4. It shall be the duty of every justice of the peace and township clerk, upon the expiration of his term of office, or whenever his office becomes vacant, to deposit with his successor in office, or with the county auditor, such copy of the code as well as all other books and papers which have come into his hands as such justice of the peace or township clerk. Justices and clerks to turn over codes &c. to successors.

SEC. 5. This act being deemed of immediate importance shall take effect from and after its publication in The Iowa State Register and Iowa State Leader, newspapers published in Des Moines, Iowa. Publication.

Approved March 12th, 1874.

I hereby certify that the foregoing act was published in Des Moines, in *The Daily Iowa State Register* March 15, and in *The Iowa Daily State Leader* March 16, 1874.

JOSIAH T. YOUNG, Secretary of State.

CHAPTER 16.

PAYMENT OF JURORS.

AN ACT Relating to Payment of Jurors. [Amendatory of Code, Title S. F. 92, III., Chapter 11.]

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That section 245, chapter 10, title 3, of the code of 1873, be and the same is hereby repealed, and that the following be enacted as section 245 of the Code: Code, § 245.

"Sec. 245. At the close of each term the clerk of the court must make out a certificate to each juror of the amount to which he is entitled for his services, which certificate shall authorize the county auditor to issue a warrant to each juror for the said amount on the county treasurer without the same being audited by the board of supervisors." In payment of jurors. Auditor to issue warrant on clerk's certificate.

SEC. 2. This act being deemed of immediate importance shall take effect and be in force from and after its publication in The Daily State Register and The Daily Iowa State Leader, newspapers published at Des Moines, Iowa. Publication clause.

Approved March 12th, 1874.

I hereby certify that the foregoing act was published at Des Moines in *The Iowa Daily State Register* and in *The Iowa Daily State Leader* March 16, 1874.

JOSIAH T. YOUNG, Secretary of State.

CHAPTER 17.

OBSTRUCTION OF HIGHWAYS.

H. F. 9. AN ACT to Amend Chapter 7 of Title 24 of the Code. [Concerning "Malicious Mischief and Trespass on Property."]

Code: Title XXIV., ch. 7. [SECTION 1.] *Section 3992½. Be it enacted by the General Assembly of the State of Iowa,* That chapter 7 of title 24 of the code be and the same is hereby amended by adding thereto the following section, to wit: "If any person without authority or permission from the proper road supervisor shall in any manner obstruct, deface, or injure any public road or highway, by breaking up, plowing, or digging within the boundary lines thereof, he shall upon conviction be punished by a fine of not less than five dollars nor more than twenty-five dollars, or by imprisonment in the county jail not more than thirty days, at the discretion of the court."

Penalty for obstructing or defacing roads.

Publication clause. [SEC. 2.] *Section 3992½.* This act being deemed of immediate importance shall take effect and be in force from and after its publication in The Iowa State Register and State Leader, newspapers published at Des Moines, Iowa.

Approved March 12th, 1874.

I hereby certify that the foregoing act was published at Des Moines in *The Daily Iowa State Register* March 15, and in *The Iowa Daily State Leader* March 16, 1874.

JOSIAH T. YOUNG, Secretary of State.

CHAPTER 18.

INTERSECTING RAILWAYS.

S. F. 201. AN ACT to Amend Section[s] 1292 and 1293 of the Code [Title X., Ch. 5: "Of Railways."]

Code: §§ 1292 and 1293. *Be it enacted by the General Assembly of the State of Iowa,* That section[s] 1292 and 1293, of the code, are hereby repealed, and the following enacted in lieu thereof:

Railways crossing or intersecting others to connect, how. "Section 1292. Any railway corporation, operating a railway in this state, intersecting or crossing any other line of railway, of the same gauge, operated by any other company, shall, by means of a Y, or other suitable and proper means, be made to connect with such other railway so intersected or crossed; and railway companies where railroads shall be so connected shall draw over their respective roads the cars of such connecting railway; and also those of any other railway or railways connected with said roads made to connect as aforesaid, and also the cars of all transportation companies or persons, at reasonable terms, and for a compensation not exceeding their ordinary rates.

Companies to draw cars from connecting roads.

Compensation.

"Sec. 1293. When such corporations are unable to agree upon the method and terms of connection and rates of transportation, either, or any person interested in having such connection made, may make application to the district or circuit court in any county in which said connection may be desired or located, or to the judge of said courts if in vacation, after ten days' notice in writing to the companies. After hearing the parties, or on default, the said judge shall appoint three disinterested persons, being presidents or superintendents of railways, or experts in railway business, without regard to their place of residence, as commissioners, to determine the method and terms of connection and rules and regulations necessary thereto: *Provided*, That the rates as fixed by the said commissioners, for freights offered or transported in the cars of the company offering the same, shall in no case exceed the local rates per mile fixed by law or set forth in the carrying companies' freight tariff prepared and made public in accordance with the laws of the state."

Application to court or judge when companies disagree; who may make.

Appointment of commission to fix rates.

Rates not to exceed company's tariff.

Approved March 13th, 1874.

CHAPTER 19.

OPENING AND WORKING HIGHWAYS.

AN ACT to Amend Title Seven, Chapter One, Section 946 of the Code. H. F. 197.
[Concerning the Establishment of Highways.]

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That title seven, chapter one, section 949 of the code of 1873 be and the same is hereby amended by striking out said section, and inserting in lieu thereof the following:

"[Sec. 949.] After the highway has been finally established, the plat and field-notes must be recorded by the auditor, and he shall certify the same to the township clerk, and the township clerk shall certify to and direct the supervisor of highways to have the same opened and worked subject to the provisions of the next section."

Plat and field-notes recorded.

Duty of county auditor. Township clerk to notify supervisor.

SEC. 2. This act being deemed of immediate importance shall take effect and be in force on and after its publication in the Des Moines Daily State Register and The Daily State Journal, both newspapers published in Des Moines, Iowa.

Publication clause.

Approved March 14th, 1874.

I hereby certify that the foregoing act was published at Des Moines, in *The Daily State Journal* March 19, and in *The Iowa Daily State Register* March 21, 1874.

JOSIAH T. YOUNG, Secretary of State.

CHAPTER 20.

PREFERRED STOCK IN RAILWAYS.

- S. F. 188. AN ACT Authorizing Railway Corporations to issue Preferred Stock for its bonded Indebtedness. [Amendatory of Code, Title X., Chapter 5: "Of Railways."]]

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That any railway corporation which has no surplus, after paying its running expenses, with which to pay the interest on its bonded indebtedness, with the assent of its bondholders, in addition to the right conferred by section 1286 of the code, may, with the assent of two-thirds of its stockholders, issue its preferred [stock], at par, to an amount equal to and not exceeding its bonded indebtedness, in exchange for its said bonded indebtedness. The said stock shall be entitled to such dividends from its net profits as the directors of the corporation may determine, not exceeding eight per cent per annum, if the same is earned in any one year, after payment of all interest on the indebtedness of the corporation, before any dividend is made to the common stock.

Railway corporations may issue preferred stock to pay bonded debt.
Code: § 1286.

Publication clause.

SEC. 2. This act being deemed of immediate importance shall take effect twenty days after its publication in The Iowa State Register and Iowa State Leader, newspapers printed and published at Des Moines, Iowa.

Approved March 14th, 1874.

I hereby certify that the foregoing act was published in Des Moines in *The Iowa Daily State Leader* March 20, and in *The Daily Iowa State Register* March 21, 1874.

JOSIAH T. YOUNG, Secretary of State.

CHAPTER 21.

STATE REFORM SCHOOL.

- S. F. 88. AN ACT for the Support of the State Reform School. [Additional to Code, Title XII., Chapter 5.]]

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That there is hereby appropriated, out of any money in the state treasury not otherwise appropriated, the sum of ten dollars per month, or so much thereof as may be necessary, for each boy or girl actually supported in the state reform school, counting the average number sustained in the school for the month; and upon the presentation to the auditor of state, each month, of a sworn statement by the superintendent of the average number of boys and girls supported by the school for the preceding month, the auditor of state shall draw his warrant on the treasurer of state in favor of the treasurer of the board of trus-

Appropriation for support of reform school.

How drawn.

tees of the state reform school for the sum hereinbefore provided.

SEC. 2. The provisions of section 1 of this act shall apply from and after November 1st, 1873. To apply from Nov. 1, 1873.

SEC. 3. This act being deemed of immediate importance shall take effect and be in force from and after its publication in The Daily State Register, and State Leader, newspapers published in Des Moines, Iowa. Publication clause.

Approved March 18th, 1874.

I hereby certify that the foregoing act was published at Des Moines in *The Iowa Daily State Leader* March 23, and in *The Iowa Daily State Register* March 24, 1874.

JOSIAH T. YOUNG, Secretary of State.

CHAPTER 22.

APPEALS IN ASSESSMENT OF DAMAGES FOR MILL DAMS AND RACES.

AN ACT to Amend Section Eleven Hundred and Ninety-four of the Code of Iowa of 1873. [Title XI, Chapter 2, "Of Mill Dams and Races."] S. F. 111.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That section 1194 of the code of Iowa of 1873 be amended by striking out the words "Circuit court" in the second line of said section and inserting in their place the words, "Court where the said proceedings are pending." Code: 30194. Appeal to what court.

Approved March 18th, 1874.

CHAPTER 23.

LIENS UPON PROPERTY OF POLITICAL CORPORATIONS.

AN ACT to Provide for the Creation and Enforcement of Liens in certain Cases where Corporations have issued Bonds in Excess of the Amount allowed by Law. S. F. 199.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That, where a corporation has issued bonds in payment of an indebtedness exceeding five per centum on the value of the taxable property of such corporation for labor upon, and materials furnished in the erection and furnishing, a building and making improvements for such corporation, the holders of said bonds or any of them, including the assignees thereof, shall have a lien upon such building and furniture and fixtures therein, and upon the land of such corporation on which such building and improvements are situated to the amount of such indebtedness. Where municipal corporations have issued bonds in excess of lawful amounts for improvements, holders to have lien.

SEC. 2. Any person having a lien by virtue of this act may

Enforcement of lien. enforce the same by equitable proceedings in any district or circuit court of the county where the property is situated, at any time before the maturity of said bonds, as though the action was for the labor done and materials furnished and used in and about the erection of said building. All persons owning such bonds shall be made parties plaintiffs or defendants, and if the names of such owners are unknown they shall be made parties defendant as provided by section twenty-six hundred and twenty-two of the code. The plaintiff shall set forth and the court shall ascertain and determine the entire amount of the indebtedness on such bonds and order that the property be sold to pay such indebtedness, and the proceeds of the sale shall be paid to the court to be by it distributed pro rata among the holders of such indebtedness; but no money judgment shall be rendered against such corporation, and the clerk shall not pay the proceeds of such sale to the holders of such indebtedness until they deliver him their bonds which shall be by him canceled.

All bondholders to be made parties.

Code: § 2622.

Order of court.

No money judgment.

Publication clause.

SEC. 3. This act being deemed of immediate importance shall take effect from and after its publication in *The Iowa State Register*, and *Iowa State Journal*, newspapers published in Des Moines, Iowa.

Approved March 18th, 1874.

I hereby certify that the foregoing act was published in Des Moines in *The Daily State Journal* March 30, and in *The Daily Iowa State Register* April 2, 1874.

JOSIAH T. YOUNG, Secretary of State.

CHAPTER 24.

SWAMP-LAND COMMISSIONER DISCONTINUED.

H. F. 379. AN ACT to Repeal Chapter 135 of the Acts of the Twelfth General Assembly.

1868: ch. 135. Office of Commissioner to settle land claims with U. S. abolished. Publication clause.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That chapter 135 of the acts of the Twelfth General Assembly is hereby repealed.

SEC. 2. This act being deemed of immediate importance shall take effect and be in force from and after its publication in *The Daily State Register* and *The Daily State Leader*, newspapers published in Des Moines, Iowa.

Approved March 18th, 1874.

I hereby certify that the foregoing act was published in Des Moines in *a Daily State Leader* March 30, and in *The Iowa Daily State Register* April 2, 1874.

JOSIAH T. YOUNG, Secretary of State.

CHAPTER 25.

CITY AND TOWN LOTS.

AN ACT to Provide that Lands to be laid out into Town or City Lots, shall be free from Incumbrance, and that the same when thus laid out shall be accurately described relative to some established Corner of the Congressional Division of which they are part. [Additional to Code, Title IV., Chapter 12 "Of Plats."] H. F. 99.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That whenever any person or corporation shall lay out any parcel of land into town or city lots in accordance with chapter 12, title 4 of the code, such person shall procure from the county treasurer a certified statement that the land thus laid out into lots, streets, and alleys is free from taxes, and such proprietor shall also procure a certified statement from the recorder of deeds, that the title in fee to said land is in such proprietor and that the same is free from every incumbrance; which certified statements shall both be filed with the recorder of deeds before the plat of the said town or city lots shall be admitted to record or of any validity.

Persons laying out land into town-plats to procure certificates that they are free from incumbrance; Code: title iv., ch. 12.

To be filed with county recorder.

SEC. 2. The record and plat of every town, city, or addition thereto which may be thus laid out, shall give the bearing and distance from some corner of a lot or block in said town or city or part thereof to some corner of the congressional division of which said town or city or addition thereto is a part.

Record and plat to show bearing and distance from government corner.

Approved March 18, 1874.

CHAPTER 26.

CARE OF INSANE PATIENTS.

AN ACT to Amend Section 1433 of the Code of 1873 [Title XI., Chapter 2: "Of the Care of the Insane"] H. F. 286.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That the words "Nor their relations" in the third line of section 1433 of the code of 1873, and the words "Or from any person legally bound for their support" in the sixth and seventh lines of said section, and all after the word "Stated" in the eleventh line of said section are hereby stricken out and said section be amended so that it shall read as follows, to-wit:

Code: §1433 amended. Relatives released from liability for care of insane patients.

"Section 1433. The provisions herein made, for the support of the insane at public charge, shall not be construed to release the estates of such persons from liability for their support, and the auditors of the several counties, subject to direction of the board of supervisors, are authorized and empowered to collect from the property of such patients any sums paid by the county in their behalf as herein provided; and the certificate from the

Estates of insane patients liable for their support.

Board of supervisors may release estates, when.

Publication clause.

superintendent and the notice from the auditor of state, stating the sums charged in such cases, shall be presumptive evidence of the correctness of the sums so stated. If the board of supervisors in the case of any insane patient, who has been supported at the expense of the county, shall deem it a hardship to charge the estate of any such patient with such cost of supporting the patient, they may relieve such estate or estates from any part or all of such burden as may seem to them reasonable and just."

SEC. 2. This act being deemed of immediate importance shall take effect and be in force from and after its publication according to law in *The Daily State Register* and the *Daily Iowa State Leader*, newspapers published at Des Moines, Iowa.

I hereby certify that the foregoing act was published, at Des Moines, in *The Iowa Daily State Leader* April 1, and in *The Daily Iowa State Register* April 3, 1874.

JOSIAH T. YOUNG, Secretary of State.

CHAPTER 27.

SCHOOL-DISTRICT OFFICERS.

H. F. 125.

AN ACT to Repeal Sections 1721 and 1802, of Chapter 9, Title XII., of the Code, ["Of the System of Common Schools,"] and to Enact Substitutes therefor.

Code. §§ 1721 and 1802 repealed, and substitutes passed.

Sub-directors constitute board of directors.

Secretary and treasurer to be elected in September, and to enter upon duties within ten days thereafter.

Organization of independent districts.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That sections 1721 and 1802 of chapter 9, of title 12, of the code be and the same are hereby repealed and the following enacted in lieu thereof, to-wit:

"Section 1721. The subdirectors of the several subdistricts shall constitute a board of directors for the district-township, and shall enter upon their duties upon the day fixed for the regular meeting of the board in March, at which time they shall organize by electing from their own number a president, who shall simply be entitled to a vote as a member of the board, and from the district-township at large, at their regular meeting on the third Monday of September in each year, a secretary and treasurer, unless there are at least five subdirectors in the district-township, in which case they may be selected from the board; and said secretary and treasurer thus elected shall qualify and enter upon the duties of their respective offices within ten days following the date of their election. If selected from the district-township at large, they shall have no vote in the proceedings of the board."

"Sec. 1802. Should a majority of votes be cast in favor of such separate organization, the board of directors of the district-township shall give similar notice of a meeting of the electors for the election of six directors. Two of these directors shall hold their office until the first annual meeting after their election, and until their successors are elected and qualified, two until the second, and two until the third annual meeting thereafter, their respective

terms of office to be determined by lot. The six directors shall constitute a board of directors for the district, and they shall, at their first regular meeting in each year, elect a president from their own number, and at their meeting on the third Monday of September in each year a secretary and treasurer, to be chosen outside of the board: *Provided*, That in all independent districts having a population of less than five hundred there shall be three directors elected, who shall organize by electing a president from their own number, also a secretary and treasurer who may or may not be members of the board: *And provided further*, That in all independent districts already organized the terms of office of such directors as may have been chosen previous to the taking effect of this section for two or three years shall not be interfered with by its passage."

Secretary and treasurer to be chosen in September.

Secretary nor treasurer need be member of board of three.

SEC. 2. Secretaries and treasure[r]s of school-districts elected on the third Monday of March, 1874, shall hold their offices until the third Monday of September, 1874, and until their successors are elected and qualified.

Term of office of present secretary and treasurer.

Approved March 18th, 1874.

CHAPTER 28.

COUNTY TAX LEVY.

AN ACT to Amend Section 796, Title VI., Chapter 1, of the Code of H. F. 203. 1873 ["Of the Assessment of Taxes"].

Be it enacted by the General Assembly of the State of Iowa: SECTION 1. That subdivision two of section 793[6] of the code of 1873 be and the same is hereby amended by striking out the word "Four" in the second line of said sub-division two of section 796 of the code of 1873, and inserting in lieu thereof the word "Six:" *Provided*, That the provisions hereof shall not apply to counties having a population exceeding 14,000 inhabitants.

Code: § 796. Counties of not more than 14,000 population may levy tax of six mills on the dollar.

Approved March 18th, 1874.

CHAPTER 29.

REMISSION OF PENALTY AND INTEREST ON PERSONAL PROPERTY TAXES.

AN ACT to Remit the Penalty and Interest on Delinquent personal Property Taxes in certain Cases. H. F. 205.

Be it enacted by the General Assembly of the State of Iowa: SECTION 1. That in all cases where the county treasurer in any county in this state has neglected for the term of four years, or more, to bring forward the delinquent taxes on personal property,

Code: § 845.
Where personal property tax has not been collected for four years, board of supervisors to remit penalties and interest.

Publication clause.

on the tax-books, as required in section 845, chapter 1, title VI. of the code, or has for four years or more neglected to collect said tax by distress and sale of personal property or real estate, upon which said tax is a lien, it shall be the duty of the board of supervisors of the county to remit all of the penalties and interest that may have accrued on such delinquent taxes, on the payment by the person liable for the same of the original amount of such tax.

SEC. 2. This act being deemed of immediate importance shall take effect from and after its publication in *The Daily State Leader* and *The Daily State Register*, newspapers published at Des Moines.

Approved March 18th, 1874.

I hereby certify that the foregoing act was published at Des Moines in *The Iowa Daily State Leader* and *The Iowa Daily State Register* April 4, 1874.

JOSIAH T. YOUNG, Secretary of State.

CHAPTER 30.

COSTS IN PRELIMINARY EXAMINATIONS.

S. F. 21.

AN ACT to Amend Section 4254, Chapter 12, of Title Twenty-five of the Code of 1873, relating to Preliminary Examinations.

Appeal from judgment taxing costs against prosecuting witness.
Code: §§ 4254, 4689, and 4691.
Costs shall be taxed against state, when.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That section 4254, chapter 12, title twenty-five of the code of 1873, be amended by striking out of line seven (7) of said section the words "Eighty-nine" and inserting in lieu thereof the words "Ninety-one," and by adding, "Otherwise the costs shall be taxed against the State," to said section.

Approved March 18th, 1874.

CHAPTER 31.

INSPECTION OF COAL-MINES.

H. F. 273.

AN ACT to Provide for the Inspection of Coal-Mines. [Substitute for for Chapter 8, Title XI., Code.]

Board of supervisors may appoint inspector, who must be practically acquainted with mining.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That the board of supervisors of each county, in which coal or other minerals are mined, may, at their first regular session in each year, appoint an inspector of mines, who must be practically acquainted with mining and competent to fulfill the duties of his office, who shall, before entering upon the duties of his office, take an oath for the faithful and impartial discharge thereof, and whose duty it shall be to inspect twice during each year all mines and collieries in his county, in which more than

ten miners are employed, and apply scientific tests to ascertain the condition of the atmosphere in such mines, as affecting the life and health of miners and employees; and when he shall be satisfied of the prevalence of choke-damp, (carbonic acid gas,) or fire-damps, (light carbureted hydrogen gas,) in sufficient quantities to jeopardize the life or health of such employees or miners, he shall determine the number and capacity of additional entrances or shafts, or other means necessary for the proper ventilation of such mines, and to afford egress from and ingress to such mines in case of explosion or the falling-in of the entrance or shaft to such mines. It shall farther be the duty of the inspector to examine and test all machinery used in and about the mines for the purpose of assisting in mining operations, and ascertain if the same is kept in good repair and is sufficient to secure the safety of those operating such machinery.

Duty:
To examine
collieries
twice a year,
&c.;

To test
machinery.

SEC. 2. It shall be lawful for the inspector appointed under the provisions of this act to enter and inspect any and all mines in his district at such times as he may see fit, and to examine all machinery used in the operation of such mines, but not so as to unnecessarily hinder or obstruct the working of such mines or machinery; and if the owner, operator, or agent of any such mine shall refuse to permit said inspector to enter and inspect such mine as may be under his control, or to examine and test any machinery connected with such mine, the inspector shall file his affidavit, setting forth such refusal, with the judge of the circuit or district court of the circuit or district in which said mine is situated, in either term-time or vacation, and obtain an order on such owner, operator, or agent, commanding him to permit said inspector to perform the duties of his office, or be adjudged guilty of contempt of court and punished accordingly.

May inspect
at any time.

Mode of pro-
cedure when
owner refuses
to allow
inspection.

SEC. 3. If the inspector shall find, on examination of any mine and machinery pertaining thereto, that the same is operated and worked contrary to the provisions and requirements of this act, and that the same are unsafe and dangerous to the miners and workmen employed therein, he shall at once notify, in writing, the operator, owner, or agent of such mine, stating the facts, and the necessary improvements that should be made to remove such danger; and if the owner, operator, or agent of such mine, after being notified as above provided, shall, for thirty days thereafter, neglect or refuse to provide suitable means to render such mine and machinery safe, then it shall be the duty of the inspector to proceed against such owner, operator, or agent, by injunction without bond, after giving at least three days' notice to such owner, operator, or agent, and the said owner, operator, or agent shall have the right to appear before the judge to whom the application is made, who shall hear the same and affidavits in support thereof or in opposition thereto, and if sufficient cause appear he may prohibit the further working of such mine, and machinery pertaining thereto, in which persons are unsafely employed, until the same shall have been made safe and the provisions of this act complied with; and the court shall award such costs in the matter of injunction as he may deem just.

Inspector to
notify opera-
tor of unsafe
mine or
machinery,

And to pro-
ceed by
injunction,
when.

Judge to pro-
hibit working
of unsafe mine
or machinery;
costs.

SEC. 4. The owner, operator, or agent of every coal mine or colliery, opened and operated by shaft or slope, shall provide suitable means for signaling between the bottom and top of such shaft or slope, and shall also provide safe means of hoisting and lowering persons employed at the mines, with sufficient cover overhead, on every box or carriage used for hoisting purposes, for the protection of persons so hoisted and lowered; and the top of each shaft or slope shall be securely guarded, and the entrance of every abandoned slope or air or other shaft shall be securely fenced off.

SEC. 5. No young person under ten years of age, or female of any age, shall be permitted to enter any mine to work therein; proof of age to be made by certificate or otherwise. The owner, operator, or agent of any mine violating the provisions of this section shall be subject to a fine of not less than ten nor more than twenty-five dollars, to be recovered for the use of the school-fund.

SEC. 6. Whenever an explosion or other accident shall occur at any mine, whereby loss of life or serious bodily injury is sustained, it shall be the duty of the person having charge of the mine to at once give notice to the inspector in and for the county in which the mine is situated; and, if any person is killed by such explosion or other accident, to the coroner of the county also; and the inspector, on being so notified, shall proceed to the scene of such explosion or other accident, and use such means as he may deem necessary for the safety of the men employed in such mine. He shall further investigate and ascertain, if possible, the cause of such explosion or other accident, and preserve a record thereof among the papers of his office. And in case the person in charge of any mine shall fail to give notice, as required by this section, he shall be fined not less than twenty-five dollars nor more than one hundred dollars, to be sued for in the name of the state, for the use of the school-fund, before any court having jurisdiction.

SEC. 7. The owner, operator, or agent of any coal mine shall provide that bore-holes shall be kept six feet in advance of the face of each and every working place, when driving toward an abandoned mine, or part of a mine, suspected to contain inflammable gases, or to be inundated with water.

SEC. 8. The underground manager of every mine must be a practical miner, or one acquainted with the working and management of mines.

SEC. 9. For any injury to persons or property occasioned by any neglect or violation of any of the provisions of this act, a right of action shall accrue to the party injured for any direct damages sustained thereby; and in case life is lost, by reason of such neglect or violation as aforesaid, the widow of the person so killed, or his lineal heirs or adopted children, or any other person or persons who were before such death dependent upon him for support, shall have a right of action for like damages for the loss of life or lives. Any miner, workman, or other person, who shall knowingly injure or destroy any water-gauge, barometer,

Precautions to be observed by operators of mines.

Who may not work in mine.

Fine.

Duty of person having charge of mine in case of explosion.

Duty of inspector.

Fine for failure to give notice.

Bore-holes.

Underground manager.

Liability for damages for persons killed or injured.

air-course, or brattice, or shall obstruct or throw open any air-ways, or carry any lighted lamps or matches into places that are worked by the light of safety-lamps, or shall disturb any part of the hoisting machinery, or open a door in the mine and neglect or refuse to have it closed again, whereby danger is produced either to the mines or to those engaged therein; or who shall enter into any mine against caution; or who shall disobey any order given in pursuance of this act; or who shall do any willful act whereby the lives and health of persons working in the mine, or the security of such mine, or the machinery thereof, is endangered, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by fine or imprisonment, or both, at the discretion of the court.

Penalty for
sundry
dangerous
acts.

SEC. 10. The inspector provided for by this act shall receive three dollars per day for the time necessarily employed in the discharge of his duties, to be paid out of the county treasury; but in case[s] where, on inspection, the provisions and requirements of this act are found not to have been complied with in operating a mine, then the expense of inspecting said mine shall be paid by the owner, operator, or agent of such mine, to be recovered if necessary by suit before any court having jurisdiction.

Pay of
inspector, and
by whom
paid.

SEC. 11. In all cases where the inspection is called for by a written request of five miners working in any mine, or by the owners thereof, it shall be his duty to proceed at once to inspect the same when the parties so applying have deposited a sufficient sum in the hands of the county clerk to defray the expense of inspecting such mine. Where the mine proves defective, it shall be at the expense of the owners of the mine; and where the inspecting shows there was no necessity for the examination, it shall be at the expense of the parties demanding the inspection.

Code: title xi,
ch. 8, repealed.

SEC. 12. Chapter 8, title XI. of the code, and all acts or parts of acts inconsistent with this act are hereby repealed.

Approved March 18th, 1874.

CHAPTER 32.

JURORS' FEES TO BE TAXED AS COSTS.

AN ACT to Amend Section 3812, Chapter 3, Title XXIII. of the Code in Relation to Jury Fees. H. F. 245.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That section 3812, chapter 3, title 23 of the code be amended to read as follows: Code: § 3812 amended.

"For every case tried in a court of record by jury, the per diem of such jury, while engaged in the trial thereof, shall be taxed as part of the costs, and shall be collected the same as other costs and paid into the county treasury by the clerk, who shall report the same to the board of supervisors at each regular session thereof, who shall

Per diem of
jurors to be
taxed as costs,
and paid into
county
treasury.

Clerk to
report.

Clerk to keep
account of
time of jury.

cause the same to be charged to the treasurer; and it is hereby made the duty of the clerk of the court, where a case is tried by jury, to keep the true and correct time occupied by the jury in such case, from the time of its being impaneled to the time when it is discharged, and to tax to each case the amount of jury fees properly chargeable to it under the provisions of this section."

Approved March 18th, 1874.

CHAPTER 33.

EVIDENCE OF HUSBAND AND WIFE.

S. F. 108.

An ACT to Repeal Section 3641 of Chapter 1 of Title 22, of the Code [relating to "Evidence"] and to Enact a Substitute therefor.

Code: § 3641.
amended.

When hus-
band and
wife may be
witnesses
against each
other.
May be wit-
nesses for
each other in
all cases.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That section three thousand six hundred and forty-one (3641), of chapter one (1), title twenty-two (22) of the code, be and the same is hereby repealed, and in lieu thereof the following is enacted as a substitute:

"Section 3641. Neither the husband nor wife shall in any case be a witness against the other, except in a criminal prosecution for a crime committed one against the other, or in a civil action or proceeding one against the other; but they may in all civil and criminal cases be witnesses for each other."

Approved March 18th, 1874.

CHAPTER 34.

ESTABLISHMENT OF PUBLIC WAYS TO MINES AND STONE QUARRIES.

S. F. 223.

AN ACT Authorizing the Establishment of Public Ways to Lands having Stone and Mineral Thereon. [Additional to Code, Title IX. Chapter 4: relating to "Taking Private Property for Works of Inter-nal Improvement."]

Quarry or
mine owners
may have
public way
established.

Same to be
fenced.

Proceedings
to condemn
right of way.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That any person, copartnership, joint-stock association, or corporation, owning, leasing, or possessing any lands having thereon or thereunder any coal, stone, lead, or other mineral, may have established over the land of another a public way from any stone-quarry, coal, lead, or other mine, to any rail-way or highway, not exceeding (except by the consent of the owner of the land to be taken) fifty feet in width. When said road shall be constructed, it shall, when passing through inclosed lands, be fenced on both sides by the person or corporations causing said road to be established.

SEC. 2. If the owner of any real estate, necessary to be taken for the purposes mentioned in this act, refuse to grant the right of way, or if such owner and the person, partnership, joint-stock

association, or corporation seeking to have such way established, cannot agree upon the compensation to be paid for the same, the sheriff of the county in which said real estate may be situated shall, upon the application of either party, appoint six disinterested freeholders of the county, not interested in a like question, who shall inspect said real estate, and assess the damage which said owner will sustain by the appropriation of said land for such public way, and make *an* report in writing to the sheriff of said county, and if the applicant for such public way shall at any time before entering upon said real estate, for the purpose of constructing such way, pay to said sheriff, for the use of said owner, the sum so assessed and returned to him, as aforesaid, said highway may be at once constru[ct]ed and maintained over and across said premises.

Sheriff to
appoint
appraisers.

Their report.

Payment of
award.

SEC. 3. In proceeding under this act, the application to the sheriff, the duty of commissioners, the time and manner of assessing the damages, the giving of notice thereof to residents and non-residents, the power of guardians to settle and convey, the making and returning of appraisement, the selection of talesmen, the payment of the costs of assessment, the report of the commissioners, the recording thereof, the right of appeal, the proceedings relating thereto, the result of non-user, the rights and duties as to other highways, are and shall be the same as provided in the sections of the code numbered twelve hundred and forty-five to and including twelve hundred and sixty-eight, and the provisions of all of said sections, so far as applicable, are declared to be a part of this act, except that the report of the commissioners, and record thereof, shall confer no title to the applicant for the land taken for the highway, but shall be presumptive evidence of the establishment of such way.

Provisions in
code: §§ 1245—
1268 applied to
this act.

No title con-
ferred by pro-
ceedings.

SEC. 4. Any owner, lessee, or possessor of lands having coal, stone, lead, or other mineral thereon, who has paid the damages assessed for highways established under this act, may construct, use, and maintain a railway on such way, for the purpose of reaching and operating any quarry or mine on such land and of transporting the products thereof to market. In the giving of the notices required by this act, the applicant shall state whether a railway is to be constructed and maintained on the way sought to be established; and if it be so stated the jury shall consider that fact in the assessment of damages.

Person con-
demning may
establish
railway.

To be stated
in notice.

SEC. 5. This act being deemed of immediate importance shall shall take effect and be in force from and after its publication in the State Register and State Leader, newspapers published at Des Moines, Iowa.

Approved March 18th, 1874.

I hereby certify that the foregoing act was published at Des Moines, in *The Iowa Daily State Leader* March 27, and in *The Iowa Daily State Register* March 28, 1874.

JOSIAH T. YOUNG, Secretary of State.

CHAPTER 35.

RELATING TO RIPARIAN OWNERS.

S. F. 144. AN ACT in Relation to Riparian Owners on the Mississippi and Missouri Rivers.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa* That all owners and lessees of lands, or lots, situate upon the Iowa banks of the Mississippi and Missouri rivers, upon which property there is now, or may hereafter be, carried on any business which is in any way connected with the navigation of said rivers, or to which the said navigation is a proper or convenient adjunct, are hereby authorized to construct and maintain, in front of their said property, piers, cribs, booms, and other proper and convenient erections and devices for the use of their respective pursuits and the protection and harbor of rafts, logs, floats, and other water-crafts: *Provided*, That the same present no material or unreasonable obstruction to the navigation of the stream, or to a similar use of adjoining property.

Land-owners upon the Mississippi and Missouri may erect piers, cribs, booms, &c., when.

Proviso: not to obstruct navigation.

Owners to receive compensation for railroad right of way.

Code: title X., the manner provided by chapter 4, title 10 of the code. ch. 4.

Approved March 18th, 1874.

CHAPTER 36.*

STOPPING OF FIRES IN CITIES AND TOWNS.

H. F. 380. AN ACT to make Cities and Towns responsible for the Value of Buildings destroyed for the Purpose of preventing the Spread of Conflagrations.

SECTION 1. That whenever, for the purpose of staying the progress of a conflagration, the authorities of any city or town, whether acting under special charter or not, shall order or cause to be destroyed any house or building not already on fire and adjoining or in the vicinity of such conflagration, the owner thereof shall be paid for such property by such city or town, *provided* he shall make his claim within thirty days from the date of the destruction of the same, and if said city or town shall fail to make payment, when such claim is made, and satisfactory proof furnished of the value of the said property so destroyed, the party owning such house or building shall have the right to recover, by

Owners of property destroyed to prevent spread of fire to receive pay from city or town.

* This bill, through some oversight, passed through all the forms of enactment without, however, an enacting clause. In this form it is here presented.

suit in any court having jurisdiction of the same, the value of such property which such city or town authorities may have caused to be destroyed to prevent the spread of such conflagration.

SEC. 2. That upon the payment of the amount to which said party is entitled, by such city or town, as provided in section 1 of this act, the party so paid, as aforesaid, shall assign and set over to said city or town all his right, title, and interest in and to any insurance policy, or any claim he may have against any insurance company, for said property so destroyed or any part thereof.

Assignment
of insurance
policy.

SEC. 3. This act being deemed of immediate importance shall take effect from and after its publication in the Daily Iowa State Leader and Des Moines Journal, newspapers published in Des Moines, Iowa.

Approved March 18th, 1874.

I hereby certify that the foregoing act was published in Des Moines, in *The Daily State Journal* April 2, and in *The Iowa Daily State Leader* April 6, 1874.

JOSIAH T. YOUNG, Secretary of State.

CHAPTER 37.

RELATING TO PERSONS CONVICTED OF DRUNKENNESS.

AN ACT to Amend Chapter 6, Title XI. of the Code [relating to Intoxicating Liquors]. H. F. 102.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That section 1548, chapter 6, title 11 of the code be amended by adding after the word "Obtained," in the fourteenth line, the following words, to-wit: "*Provided*, Such intoxicated person gives bail for his appearance before the proper magistrate, court, or jury to give testimony in any action or complaint against the party for furnishing such liquor."

Code: § 1548
amended.

Intoxicated
person re-
vealed name
of vendor of
liquors to give
bond for
appearance to
testify.

Approved March 18th, 1874.

CHAPTER 38.

THRESHING-MACHINES.

AN ACT to Amend Section 4064 of the Code [Title XXIV., Chapter 12, concerning "Offenses against Public Policy"]. H. F. 90.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That section 4064, of chapter 11, title 24 of the code be amended by striking out all that part of said section after the word "Section," in the seventh line, and inserting in lieu thereof the following: "And any person who shall, knowingly, permit either his own grain, or any that may be in his possession or under his control, to be threshed by a machine the rods,

Code: § 4064
amended.
Repeal.

Person per-
mitting his
grain to be
threshed by
machine not
properly pro-
tected liable
to fine.

"knuckles, or joints of which are not boxed in accordance with the requirements of this section, shall be liable to a like fine as that prescribed for the person running such machine, both of which fines may be recovered in an action brought before any court of competent jurisdiction."

Approved March 18th, 1874.

CHAPTER 39.

SUPERVISOR DISTRICTS.

S F. 31.

AN ACT to Divide Counties into Supervisor Districts. [Amendatory of Code, Title IV., Chapter 2: "Of the Board of Supervisors."]

Be it enacted by the General Assembly of the State of Iowa:

Board may
establish
supervisor
districts:

SECTION 1. That the board of supervisors of each county may at their regular meeting in June, A. D. 1874, divide their respective counties, by townships, into a number of Supervisor Districts corresponding to the number of supervisors in their respective counties.

How consti-
tuted.
Entitled to
one member.

SEC. 2. Such districts shall be as nearly equal in population as possible, and shall each embrace townships as nearly contiguous as practicable, each of which said districts shall be entitled to one member of such board, to be elected by the electors of said district.

Election of
members from
unrepresent-
ed districts.

SEC. 3. In case such division, or any subsequent division, shall be found to leave any district or districts without a member of such board of supervisors, then at the next ensuing general election a supervisor shall be elected by and from such district having no member of such board; and, if there be two such districts or more, then the new member or members of said board shall be elected by and from the district or districts having the greater population according to the last state census, and so on till each of such districts shall have one member of such board.

Redistrict-
ing.

SEC. 4. Any county may be redistricted, as provided by the preceding sections of this act, once in each and every two years, and not oftener, and nothing herein contained shall be construed or have the effect to lengthen or diminish the term of office of any member of such board.

Publication
clause.

SEC. 5. This bill being deemed of immediate importance shall take effect twenty days after publication in the State Register and the State Leader, newspapers published at Des Moines, Iowa, as provided by law.

Approved March 18th, 1874.

I hereby certify that the foregoing act was published at Des Moines, in *The Iowa Daily State Leader* April 1, and in *The Iowa Daily State Register* April 9, 1874.

JOSIAH T. YOUNG, Secretary of State.

CHAPTER 40.

CORPORATIONS NOT FOR PECUNIARY PROFIT.

AN ACT to Amend Chapter 2, Title 9, of the Code of 1873, to Authorize S. F. 137 and Corporations other than those for pecuniary Profit to change their 131. Name and to amend Articles of Incorporation.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That title 9, chapter 2, of the code of 1873 be amended as follows: Code: title IX., ch. 2 amended.

“Any corporation other than those for pecuniary profit may change the corporate name thereof, or amend the articles of incorporation or the original certificate thereto, by a vote of the majority of the members or stockholders of the said corporation in such manner as may be provided by the articles of incorporation thereof. Corporation not for pecuniary profit may change name or amend articles of incorporation. How.

SEC. 2. “In case of the body corporate consisting of the trustees, directors, or managers of any benevolent, charitable, literary, scientific, religious, or missionary institution under the patronage of any synod, conference, association, or other ecclesiastical body in the state, or two or more of them, said amendment or change may originate with either of the said trustees, directors, or managers, or with either of the said patronizing bodies, but such change or amendment shall not be made without the vote of a majority of each of said trustees, directors, or managers, and of each of the said patronizing bodies, legally expressed and certified thereto by the secretary, clerk, or recording officer of such board of trustees, directors, or managers and of each of the patronizing bodies. Bodies representing ecclesiastical bodies, proceedings.

SEC. 3. “The change or amendment of the articles of incorporation shall be recorded by the recorder of deeds as the original articles of incorporation are required to be, and the recorder shall make upon the margin of such record a reference to the book and page of the record of such original articles of incorporation; and from and after the date of such act of recording such change or amendment shall be in full force and effect as the original articles of incorporation so amended. Record; Effect of.

SEC. 4. “The corporation by its new name or with such amended articles of incorporation or certificate shall be entitled to all the rights, powers, immunities, and franchises that it possessed before such change or amendment, and shall be liable upon all contracts, obligations, liabilities entered into, incurred, or binding on such corporation by or under the old name or articles of incorporation to the same extent and manner as though no such change or amendment had been made.” Rights and powers of corporations continued.

Approved March 18th, 1874.

CHAPTER 41.

FORCIBLE ENTRY OR DETENTION OF REAL PROPERTY.

AN ACT to Amend Chapter One (1) Title Twenty-one of the Code of S. F. 22. 1873, of Justices of the Peace and their Courts, in Relation to forcible Entry and Detention of real Property.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That chapter (1) title twenty-one of the code of 1873, of justices of the peace and their courts, be amended by adding the following section as section 3623½ of said code, viz.: Code: title XXI., ch. 1 amended.

"An appeal or writ of error, taken in the usual way, if the proper security is given, suspends the execution for costs, and may, with the consent of the plaintiff, prevent the warrant of removal from being executed, but not otherwise." Effect of appeal or writ of error.

SEC. 2. This act being deemed of immediate importance shall take effect from and after its publication in the daily Des Moines Register and State Leader, papers published at Des Moines, Iowa. Publication clause.
Approved March 18th, 1874.

I hereby certify that the foregoing act was published at Des Moines, in *The Iowa Daily State Leader* March 30, and in *The Iowa Daily State Register* April 2, 1874.

JOSIAH T. YOUNG, Secretary of State.

CHAPTER 42.

EXEMPTION FROM EXECUTION.

AN ACT to Amend Section 3072 of the Code of Iowa [Title XVIII., H. F. 294. Chapter 2: "Of Executions"].

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That section 3072 of the code of Iowa be and the same is hereby amended by striking out the word "Thereon" in the 12th line of said section, and by inserting in lieu thereof the words "Therefrom, and the materials manufactured from such wool." Code: § 3072. Wool from sheep owned by debtor, and manufactures therefrom exempt.

Approved March 18th, 1874.

CHAPTER 43.

APPOINTMENT OF GUARDIANS.

AN ACT to Amend Section 2315, Chapter 1 of Title 16 of the Code of S. F. 36, 1873 [relating to Probate Jurisdiction].

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That section 2315, chapter (1) one, of title 16, of the code of 1873 be and the same is hereby amended by inserting the word "Guardians," after the word "Administrators," in the second line of said section. Code: § 2315. Clerk in vacation may appoint guardians.

SEC. 2. This act being deemed of immediate importance, the same shall take effect twenty days after its publication as provided by law. Publication clause.

Approved March 18th, 1874.

I hereby certify that the foregoing act was published at the seat of government, in *The Homestead and Western Farm Journal* April 3, and in *The Iowa Daily State Register* April 9 1874.

JOSIAH T. YOUNG, Secretary of State.

CHAPTER 44.

RELATING TO MECHANICS' LIENS.

AN ACT to Amend Section 2142 of Chapter Eight of Title Fourteen of S. F. 263. the Code allowing Assignments of Mechanics' Liens.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That section 2142 of chapter eight, of title fourteen, of the code, be and is hereby amended to read as follows: Enforcement of mechanics' liens.

"Any person having a lien by virtue of this chapter may bring suit to enforce the same in the district or circuit court of the county wherein the property is situated, and the lien herein given shall be transferable and assignable, but when for labor alone shall be exempt from execution." Lien transferable when exempt from execution.

SEC. 2. This act being considered of importance shall take effect and be in force from and after its publication in *The Daily State Register* and *The Daily State Leader*. Publication clause.

Approved March 18th, 1874.

I hereby certify that the foregoing act was published in *The Iowa Daily State Leader* March 30, and in *The Iowa Daily State Register* April 2, 1874.

JOSIAH T. YOUNG, Secretary of State.

CHAPTER 45.

EXEMPTION FOR HEDGES, SHADE-TREES, ETC.

H. F. 221. AN ACT to Amend Section 799, Chapter 1, Title 6 of the Code [relating to the Assessment of Taxes].

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That section 799, of chapter 1, of title 6, of the code of Iowa be amended as follows: Strike out all of said section, and insert in lieu thereof the following:

Board of supervisors may make exemption for forest, shade, and fruit trees, and hedges. Proportionate exemption.

Board may adopt regulations as to same.

Limit of exemption.

Claimant to satisfy board.

"Sec. 799. The board of supervisors may exempt from taxation for any one year, except for state purposes, an amount not exceeding five hundred dollars for each acre of forest-trees, less than three years old, planted and suitably cultivated for timber, or for each mile of hedge, or for each mile of shade-trees, along the public highway, or for each acre of fruit-trees not more than three years old; and also a proportionate exemption for each one-fourth mile of hedge or one-fourth mile of shade-trees along the public highway. Such board, before granting any of the exemptions contemplated in this section, shall establish rules as to the method of planting and cultivating such hedges and trees, and the number of the same to the mile or acre, and persons claiming such exemption shall bring satisfactory proof that such rules have been complied with. But no person shall have any personal property nor more than one half his real estate exempted under this and the foregoing section, nor shall there be any exemption on account of nursery trees grown for sale. Any person claiming such exemption, may appear before the board of supervisors at any regular meeting, and, upon showing to the satisfaction of said board that he has complied with the requirements, shall receive from the county auditor a certificate, stating the amount of exemption, which shall be received by the county treasurer in satisfaction of the taxes exempted."

Approved March 18th, 1874.

CHAPTER 46.

TAX-SALES IN LEE COUNTY.

S. F. 71. AN ACT to Amend Chapter 2, Title 6, of the Code in Relation to Tax-Sales and Redemption of Property in Counties having two County-Seats.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That in counties divided into two districts for the collection of taxes, and where there are two county-seats, the sales of lands and property for delinquent taxes, in each collection district, shall be *sold* at the county-seat, or place where taxes are collectable.

the taxes for each district are collected, and the deputy treasurer and the recorder or his deputy, at such county-seat or place, shall be authorized, and are hereby declared authorized and empowered, to do and perform all the duties required of the treasurer and auditor of such county.

Recorder or deputy to attend sale with deputy treasurer.

SEC. 2. The records of such sales, and all matters and things pertaining to the same, shall be kept by, and in the office of, the deputy treasurer and the recorder, or his deputy, as is required to be kept by the treasurer and auditor.

Record, where kept.

SEC. 3. All property sold under the provisions of this act shall be redeemed of the recorder or his deputy, and the certificate of redemption so issued shall be countersigned by the deputy treasurer, and the deputy treasurer and recorder or his deputy shall be authorized and empowered to do and perform all the duties in relation to such redemption as is [are] required of the treasurer and auditor of the county.

Property sold to be redeemed of the recorder or his deputy. Powers of deputy treasurer and the recorder.

SEC. 4. At the expiration of the time for redemption, as required by sections 890, 891, 892, 893, 894, 895, chapter 2, title VI., of the code, the deputy treasurer is hereby authorized to make, execute, acknowledge, and deliver good and sufficient deeds to the purchaser or holder of the sale-certificate, and to do and perform all other acts and duties required by law of the treasurer of the county in regard to the same.

Deputy treasurer to execute deeds.

SEC. 5. This act shall be in force and take effect from and after its publication as prescribed by law.

Publication clause.

Approved March 18th, 1874.

I hereby certify that the foregoing act was published at the seat of government, in *The Iowa Daily State Register* March 28, and in *The Homestead and Western Farm Journal* April 10, 1874.

JOSIAH T. YOUNG, Secretary of State.

CHAPTER 47.

RAILWAYS CROSSING HIGHWAYS.

AN ACT to Amend Chapter Four (4) of Title X. of the Code, on "taking S. F. 41. "Private Property for works of Internal Improvement."

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That section 1262, of chapter 4, of the code be amended so as to read as follows:

"Any such corporation may raise or lower any turnpike, plank-road, or other highway, for the purpose of having its railway cross over or under the same; and in such cases said corporation shall put such highway, as soon as may be, in as good repair and condition as before such alteration at such place of crossing."

Right and duty of railway corporations.

SEC. 2. This bill being of immediate importance shall take

Publication
clause.

effect and be in force thirty days after its publication in the Iowa State Register and the Des Moines Leader, according to law.
Approved March 18th, 1874.

I hereby certify that the foregoing act was published in *The Iowa Daily State Leader* March 27, and in *The Iowa Daily State Register* March 28, 1874.

JOSIAH T. YOUNG, Secretary of State.

CHAPTER 48.

TRANSPORTATION FOR DISCHARGED CONVICTS.

S. F. 78.

AN ACT to amend Section 4779, chapter 2, title 26, of the code ["Of the "Penitentiary of the State and the Government and Discipline "thereof"].

Be it enacted by the General Assembly of the State of Iowa:

Code: § 4779.
May be
furnished
beyond the
state.

SECTION 1. That section 4779 of chapter 2 of title 26 of the code be amended by inserting after the words "Friends," in the 4th line, the following, "Or may furnish such transportation to "any point of a like distance without the state."

Publication
clause.

SEC. 2. This act being deemed of immediate importance shall take effect from and after its publication in *The Iowa Daily State Register* and *Daily State Leader*.

I hereby certify that the foregoing act was published in Des Moines in *The Iowa Daily State Leader* March 30, and in *The Iowa Daily State Register* April 2, 1874.

JOSIAH T. YOUNG, Secretary of State.

CHAPTER 49.

RELATING TO MECHANICS' LIENS.

S. F. 224.

AN ACT to Amend Sections 2131, 2133, 2134, and 2135 [Title XIV., Chapter 8], relating to Mechanics' Liens.

Be it enacted by the General Assembly of the State of Iowa:

Code: § 2131.

SECTION 1. That section 2131 of the code be and the same is hereby amended by adding at the end thereof the following:

Persons con-
tracting with
subcontractor
to be entitled
to lien.

Mode of
procedure.

"And every person or laborer furnishing material or performing labor by virtue of a contract with any sub-contractor, wishing to avail himself of the benefit of this chapter, shall give notice to the owner and contractor or their respective agents or trustees, before or at the time he furnishes any of the things aforesaid or performs any labor, of his intention to furnish or perform the same, and the probable value thereof; and if afterwards the things are furnished a [or] labor done, the person so furnishing material or performing labor shall settle

with the sub-contractor therefore, and the settlement in writing, signed by the sub-contractor and certified by him to be just, shall be given to the owner and contractor or their respective agents, or trustees; within thirty days from the time the things shall have been furnished or labor performed, said person *a* [or] labor[er] furnishing material *a* [or] performing labor, as aforesaid, shall file ^{Filing.} with the clerk of the district court of the county in which the building, erection, or other improvement for which the things are furnished, or the labor performed, is situated, a copy of such settlement, which shall be a lien on the building, erection, or other improvement for which the things are furnished, or labor performed; and shall at the time file a correct description of the property to be charged with the lien, the correctness of all which shall be verified by affidavit.

SEC. 2. That section 2133 of the code be amended by inserting § 2133. after the word "Sub-contractor," in the first line thereof, the words, ^{To make and file statement and give notice.} "Or person furnishing material, machinery, or fixtures, or performing labor by virtue of a contract with a sub-contractor," and inserting after the word "Contractor," in the seventh line, the word "Sub-contractor," and after the word "Contractor," in the 11th line, add[ing] "Or sub-contractor, as the case may be."

SEC. 3. That section 2134 be and the same is hereby amended § 2134. by inserting after the word "Contractor," in the first line, "Or ^{Sub-contractor refusing to sign statement, laborer to file statement.} sub-contractor," and after the word "Sub-contractor," in the second line, "Or person furnishing material, or performing labor," and after the word "Trustee," in the fourth line, "And contract-
"or."

SEC. 4. That section 2135 be amended by inserting after the § 2135. word "Sub-contractor," in the second line, the words, "Or person ^{Extent of liability of owners to laborers.} furnishing material, *a* [or] performing labor," and after the word "Sub-contractor," [in the fourth line,] the following, "Or person furnishing material, or performing labor," and after the word "Sub-contractor," in the fifth line, the words, "Or of the sub-contractor to the person furnishing material *a* [or] performing labor."

SEC. 5. This act being deemed of immediate importance shall ^{Publication clause.} take effect from and after its publication in The Iowa State Register, and Iowa State Leader, newspapers published in Des Moines, Iowa.

Approved March 19th, 1874.

I hereby certify that the foregoing act was published at Des Moines, in *The Iowa Daily State Leader* April 6, and in *The Iowa Daily State Register* April 7, 1874.

JOSIAH T. YOUNG, Secretary of State.

CHAPTER 50.

CARE AND PROPAGATION OF FISH.

H. F. 222. AN ACT to Provide for the Appointment of a Board of Fish Commissioners for the Construction of Fish-ways, for the Protection and Propagation of Fish, and to Repeal Sections 4052 and 4053, and to Amend Section 4054 [Code, Title XXIV., Chapter 2, relating to Offenses against Public Policy].

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That the governor of the state is hereby authorized and required to appoint three competent persons who shall be known as the State Fish Commissioners, who shall hold their positions for the period of two years, and any vacancies occurring in said commission by death, resignation, or otherwise, shall, for the unexpired term be filled by the appointment and commission of the governor. The general duties of the said commissioners, in addition to other duties prescribed by this act, shall be to forward the restoration of fish to the rivers and waters of this state, and to stock the same with fish as they may be supplied with means for that purpose by the United States fish commissioners and by societies and individuals interested in the propagation of fish in the waters of the state.

State fish commissioners appointed by governor.

Vacancy.

Duties.

To examine methods of securing passage of fish up dams, and to report to general assembly.

Fish-ways
Stocking
streams.

Pay \$200 each per annum.

To enforce this act.

District attorney.

SEC. 2. It shall also be the duty of the fish commissioners to make an examination of the various improved fish-ladders, fish-ways, and of the methods necessary to be used to secure the passage of migratory fish up through or over the dams now constructed in the state, and to report to the next general assembly, through the governor, the cost of construction of the various improved methods with the applicability thereof to the streams of the state, with such other information as in their judgment may be proper, with the cause or causes of the decrease of fish in the streams of the state, and the means that must be used to secure fish in abundance therein; and to report also what arrangements it will be necessary to make with the owners of mill-dams now constructed to secure the construction of fish-ways in such dams without doing injustice to the owners of such dams and to report generally such facts in connection with the construction of fish-ways and the stocking of the streams of the state with fish as in their opinion may be needed for the information of the general assembly.

SEC. 3. Said fish commissioners shall receive in full compensation for their services, two hundred dollars each per year, and no more, which salary shall be paid out of the state treasury from any money therein not otherwise appropriated.

SEC. 4. It shall also be the duty of said fish commissioners to see that the provisions of this act are enforced, and for that purpose they shall have the right to call to their assistance any prosecuting attorney, to prosecute all violations of this act in the judicial district, where such violation occurs.

SEC. 5. It shall be the duty of any person or persons, or cor-

porations, hereafter erecting or constructing any dam in any of the rivers within the state, or their tributaries accessible to migratory fishes, to put in or upon the same, fish-ways, under the direction and approval of said fish commissioners, without which every such dam shall be deemed a public nuisance, and liable to be abated upon the information of any one complaining; and the person or persons constructing a dam, in violation of this section, shall be liable to a fine of ten dollars for each day such dam shall be continued without a fish-way, such as shall be required by the commissioners under this act.

Dams hereafter constructed to have fish-ways, to be approved by commissioners. Otherwise nuisances. Fine or violation.

SEC. 6. No person shall place, erect, or cause to be placed or erected across any of the rivers, creeks, ponds, or lakes, within the state, any dam, seine, net, weir, fish-dam, or other obstruction in such manner as shall hinder or obstruct the free passage of fish up or down through such water or water-courses; and from and after the passage of this act it shall be unlawful for any person to use any seine or net for the purpose of catching fish, except minnows, in any of the waters of the state, the meshes of which seine are less than two inches, and no person shall be permitted to seine any fish except during the months of July, August, and September, except minnows.

Obstructions preventing free passage of fish prohibited.

Seine or net.

When prohibited.

SEC. 7. Any person found guilty of the violation of the provisions of section six of this act shall on conviction before a justice of the peace of the township in which he resides, or where the offense be committed if arrested therein, be fined not less than ten nor more than fifty dollars for the first offense, and for the second or any subsequent offense not less than twenty dollars, and shall stand committed till such fine be paid.

Fine for violation of sec. 6.

SEC. 8. No person shall place in any of the waters of the state any lime, ashes, drug, or medicated bait, with intent thereby to injure, poison, or catch fish. Any person violating the provisions of this section shall be punished as provided in section seven of this act.

Lime, drugs, &c., with intent, &c., prohibited.

SEC. 9. It shall not be lawful to fish with nets or any other method of entrapping fish, except with hook and line, or spear, in the ordinary manner of fishing, within half a mile of any dam in which there is or may be constructed a fish-way, for the purpose of the passage of fish up and down any stream in the state. Any person found guilty of the violation of the provisions of this section shall, on conviction, be fined as provided in section seven of this act.

Fishing within half mile of fish-way, except with hook and line or spear unlawful.

SEC. 10. Sections 4052, 4053, and all after the word "dollars" in the eighth line of section 4054, are hereby repealed.

Code: §§ 4052, 4053, and part of 4054 repealed.

SEC. 11. This act being deemed of immediate importance shall take effect and be in force from and after its publication, according to law, in *The Daily State Register*, and *The Daily Iowa State Leader*, newspapers published at Des Moines, Iowa.

Publication clause.

Approved March 19th, 1874.

I hereby certify that the foregoing act was published at Des Moines in *The Iowa Daily State Leader* March 27, and in *The Iowa Daily State Register* March 31, 1874.

JOSIAH T. YOUNG, Secretary of State.

CHAPTER 51.

RELATING TO THE IMPROVEMENT OF ALLEYS.

S. F. 129. AN ACT to Authorize Cities and Towns to provide for the Improvement of Alleys.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That the city council or trustees of any incorporated city or town, organized under special charter or under the provisions of the general incorporation laws of the state, are hereby authorized and empowered to provide by ordinance for the improvement of alleys (in said city or town) by grading the same, and for the assessment of the expenses thereof, upon the owners of lots or parcel of land abutting on said alley, pro rata according to the front feet of said lots or parcel of land: *Provided,* That such ordinance shall not be adopted except after the presentation to said council of a written petition for the improvement of such alley, signed by a number of the owners of property so to be assessed therefor equal to a majority of the owners of such property.

SEC. 2. It shall be the duty of such city council or trustees to require the work of grading such alley to be done under contract therefor, to be entered into with the lowest responsible bidder: *Provided,* That all bids for such work may be rejected by such council or trustees, if by them deemed to be exorbitant, and new bids ordered.

SEC. 3. All assessments for the grading of alleys under this act shall be a lien upon the lots and lands assessed, and shall bear the same rate of interest, and the said property assessed may be sold for payment thereof in the same manner, at any regular or adjourned sale, with the same forfeiture, penalties, and rights of redemption, and certificates and deeds on such sales shall be made in the same manner and with like effect, as in cases of sales for nonpayment of the annual taxes of such cities or towns respectively, as now or hereafter provided by law in respect thereto.

SEC. 4. Such city council or trustees may provide by ordinance for the particular mode of making and returning the assessment hereinbefore authorized, and payment of such assessments may, if so directed by said council or trustees, be enforced in the manner and by the proceedings provided for by sections 478, 479, and 481 of the code.

SEC. 5. That so much of section 465, chapter 10, title IV., as requires the expense of the grading of alleys to be paid out of the general funds of any incorporated city or town, be and the same are hereby repealed.

SEC. 6. This act being deemed of immediate importance shall take effect from and after its publication in the Des Moines Reg-

City and town councils may provide for grading alleys.

Assessment of expenses.

Proviso: petition.

Work to be let by contract.

Assessments a lien.

Sale.

Mode of assessment.

Code: §§ 478, 479, and 481.

§ 465
Costs not to be paid out of general funds of corporation.

ister and State Leader, newspapers published in Des Moines, Iowa. Publication clause.

Approved March 19th, 1874.

I hereby certify that the foregoing act was published, in Des Moines, in *The Iowa Daily State Leader* March 27, and in *The Iowa Daily State Register* March 28, 1874.

JOSIAH T. YOUNG, Secretary of State.

CHAPTER 52.

CENSUS OF CITIES AND TOWNS.

AN ACT to Amend Section 509 of the Code of 1873 [Title IV., S. F. 125. Chapter 10: "Of Cities and Incorporated Towns"].

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That section 509 of the code be amended as follows: Add after the word "census," at the end of the 2d line, the following: "Taken by authority of the state, on [or] any town or city council." Code: § 509, Census for classification of cities and towns.

SEC. 2. This act being deemed of immediate importance shall take effect after being published in *The State Journal*, a newspaper published in Des Moines, and the *Chariton Leader*, a newspaper published in Chariton, without expense to the state. Publication clause.

Approved March 19th, 1874.

I hereby certify that the foregoing act was published in *The Daily State Journal*, at Des Moines, March 30, 1874.*

JOSIAH T. YOUNG, Secretary of State.

CHAPTER 53.

IN RELATION TO THE HOSPITAL FOR THE INSANE.

AN ACT to Amend sections 1386, 1392, 1436, and 1438, of Chapter Two, S. F. 230. Title Eleven, of the Code [relating to the Care of the Insane].

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That section 1386, of chapter two, of title eleven, of the code, be amended by inserting in the seventh line, after the word "superintendent," the words "And upon the nomination of the superintendent shall appoint." Also amend section 1392, of the same chapter and title, by inserting after the word "trustees," in the first line, the words, "And superintendent." Code: § 1386. Superintendent to nominate assistants, steward, and matron. § 1392. Superintendence of purchases.

SEC. 2. That section 1436 be amended by striking out the fourth, fifth, sixth, seventh, and the word "addressed" in the eighth line of said section, and the following words be inserted in

*See Appendix.

Patients allowed to write to committee. § 1438.

Letters to be sent to visiting committee.

Letters from committee to be delivered; others superintendent may withhold.

Publication clause.

lieu thereof, "Once a week, what he or she pleases to this committee." Also amend section 1438, of said chapter and title, by inserting after the word "week," in the third line, the words, "Addressed to one of the visiting committee and." Also strike out all of the section after the word "thereto," in the sixth line, and add the following: "And to deliver to said person any letter (without opening or reading the same) written to him or her by one of the visiting committee. But all other letters written by, or to, the person so confined may be examined by the superintendent, and, if in his opinion the delivery of such letters would be injurious to the person so confined, he may retain the same."

SEC. 3. This act being deemed of immediate importance shall take effect from and after its publication in *The Daily State Register* and *Daily State Leader*, newspapers published in Des Moines, Iowa.

Approved March 19th, 1874.

I hereby certify that the foregoing act was published at Des Moines, in *The Iowa Daily State Leader* March 27, and in *The Iowa Daily State Register* March 28, 1874.

JOSIAH T. YOUNG, Secretary of State.

CHAPTER 54.

RESURVEY OF TOWN-PLATS.

S. F. 191.

AN ACT to Authorize the Resurvey and Platting of City or Town Plats, or Additions Thereto, in Cases where the Original Plats have been lost and not acknowledged or recorded.

Where any town plat is lost, same may be resurveyed.

Record.

Proviso: consent of original owner.

Duty of county surveyor.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That in all cases where the original town-plat of any city, town, or village of this state, or any of the additions to any such city, town, or village, shall have been heretofore or may hereafter be lost, mislaid, or destroyed after the sale and conveyance of any subdivision, block, or lot thereof, by the original owner or proprietor, to any person or persons, before the same shall have been recorded, it shall be lawful for any three persons interested in such city, town, village, or addition thereto, to have such original city, town, village, or addition to any such city, town, or village resurveyed and replatted, and such plat made a matter of record, as hereinafter set forth: *Provided*, That in no case shall such replat be made a matter of record without the consent in writing, indorsed thereon, of the original owner or proprietor of such city, town, village, or addition thereto, if he be alive and his residence known to those who desire such replat recorded.

SEC. 2. The county surveyor of any county of this state in which is situate any such city, town, village, or addition thereto as contemplated in section one of this act, is hereby authorized, empowered, and, upon payment to him of his legal fees by the per-

sons interested, required to resurvey any such city, town, village, or addition thereto, and shall make out a plat of such city, town, village, or addition so resurveyed, which plat shall in all respects, as near as possible, conform to the original lines of said city, town, village, or any addition thereto, that may be resurveyed, and it shall in all respects be made out as required by section 559 of the code. And in order to the perfect completion of such resurvey and plat, the said surveyor is empowered and authorized to subpoena witnesses, administer oaths, and to take evidence touching said original plat, lines, subdivisions of said city, town, village, or addition thereto sought to be surveyed and replatted; also as to whether the original proprietor be dead or living, and touching all things necessary to enable him to accurately establish the lines and boundaries of the said city, town, village, or addition thereto, and the various subdivisions thereof: *Provided*, That in all cases, before any such resurvey shall be made, the county surveyor of the proper county shall give four weeks' notice of in some newspaper published in the county, if there be any, of such contemplated resurvey, and, in case there is no such paper published in the county, then by posting up four written notices in four of the most public places in the county, one of which shall be in said district proposed to be resurveyed.

Code: §559.

Subpoena witnesses and may take evidence.

Proviso: notice to be given.

SEC. 3. When the surveyor shall have completed said plat, as hereinbefore contemplated, he shall attach his certificate thereto, to the effect that said plat is a just, true, and accurate plat of said city, town, village, or addition so surveyed by him; and the said plat and certificate thereto shall be filed for record in the office of the recorder of deeds of the proper county, and from the date of such filing it shall be regarded and treated, in all courts of law and equity in this state, as though the same had been made by the original owners or proprietors of said lands so resurveyed and replatted: *Provided*, That any person or persons deeming themselves aggrieved by said resurvey or replatting may at any time, within six months from the date of filing said plat for record, commence action by bill in chancery in the circuit or district court against the persons employing the surveyor as aforesaid and setting up their causes of complaint, and asking that said record be canceled.

Surveyor to certify to plat.

Plat to be filed with county recorder.

Effect of filing.

Provision for persons aggrieved.

Bill in chancery.

SEC. 4. If it shall appear on the trial of said cause that the said city, town, village, or addition thereto was originally laid out and platted, that the original owner or proprietor had sold any or all of the lots of such city, town, village, or addition, or that he intended to dedicate to the public the streets, alleys, or public squares of such city, town, village, or addition; that the plat thereof had never been recorded, but was lost or mislaid, that the owner or proprietor is dead, or his residence unknown, and that the resurvey and replat so filed for record is a substantially accurate survey and plat of the original plat of such city, town, village, or addition thereto, then the said bill shall be dismissed at the costs of the complainants; otherwise the court shall set aside said replat and cancel the same of record at the costs of defendants.

Trial and determination of cause.

Dismissal of bill.

Cancellation of plat.

Approved March 19th, 1874.

CHAPTER 55.

FOREIGN MUTUAL HAIL INSURANCE COMPANIES.

S. F. 200. AN ACT to Amend Section 1144, of Chapter 4 of Title IX., of the Code [relating to Insurance Companies].

Code: § 1144. SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That section 1144, of chapter 4 of title 9, of the code be amended by adding after the word "therein" in the 9th line of said section, "*Provided*, That the foregoing provisions "of this section shall not apply to foreign mutual hail insurance "company[ies] issuing policies for a term of one year or less."

Capital not required.

Publication clause.

SEC. 2. This act being considered and deemed of immediate importance shall take effect and be in force from and after its publication in The Iowa Daily State Register and The Iowa Daily State Leader.

Approved March 19th, 1874.

I hereby certify that the foregoing act was published in *The Iowa Daily State Leader* April 22, and in *The Iowa Daily State Register* April 23, 1874.

JOSIAH T. YOUNG, Secretary of State.

CHAPTER 56.

IN RELATION TO APPEALS TO THE SUPREME COURT.

S. F. 138. AN ACT to Amend Sections 3181 and 3182 of the Code of 1873 [Title XIX., Chapter 2: "Of Appellate Proceedings in the Supreme "Court"].

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That no appeal to the supreme court of the state shall be dismissed or judgment of court below affirmed because the said cause was not docketed or transcript filed in supreme court, if it be made to appear that an appeal was taken in good faith and not for delay, or if, from the conduct of appellee or his counsel, appellant was induced to believe no motion to dismiss or affirm would be made.

Appeal not to be dismissed or judgment confirmed, when.

Publication clause.

SEC. 2. This act being deemed of immediate importance shall go into force after being published in The Iowa State Register and The Iowa State Leader, two newspapers published in Des Moines, Iowa.

Approved March 19th, 1874.

I hereby certify that the foregoing act was published, at Des Moines, in *The Iowa Daily State Register* and *The Iowa Daily State Leader* April 4, 1874.

JOSIAH T. YOUNG, Secretary of State.

CHAPTER 57.

IN RELATION TO NORMAL INSTITUTES.

AN ACT to Provide for holding Teachers' Normal Institutes. [Amendment of S. F. 119, Code, Title XII., Chapter 9: "Of the System of Common Schools."]

SEC. 1. *Be it enacted by the General Assembly of the State of Iowa,* That section 1769, code, is hereby amended to read as follows: Code: § 1769.

"The county superintendent shall hold annually a normal institute for the instruction of teachers and those who may desire to teach, and with the concurrence of the superintendent of public instruction procure such assistance as may be necessary to conduct the same, at such time as the schools in the county are generally closed. To defray the expenses of said institute, he shall require the payment of a fee of one dollar for each certificate issued, also the payment of one dollar registration fee for each person attending the normal institute. County superintendent to hold normal institute annually. To procure assistance. Expenses and fees for examination and registration.

SEC. 2. "He shall monthly, and at the close of each institute, transmit to the county treasurer all moneys so received, including the state appropriation for institutes, to be designated the 'institute fund,' together with a report of the name of each person so contributing, and the amount. The board of supervisors may appropriate such additional sum as may by them be deemed necessary for the further support of such institute. All disbursements of the institute fund shall be upon the order of the county superintendent; and no order shall be drawn except for bills presented to the county superintendent and approved by him for services rendered, or expenses incurred, in connection with the normal institute." Superintendent to transmit money. Institute fund. Board supervisors may make appropriation. Disbursements of fund.

SEC. 3. This act, being deemed of immediate importance, shall be in force and take effect immediately after its publication in The Daily State Register and State Leader, newspapers published at Des Moines. Publication clause.

Approved March 19th, 1874.

I hereby certify that the foregoing act was published at Des Moines in *The Iowa Daily State Register* and *The Iowa Daily State Leader* April 1, 1874.

JOSIAH T. YOUNG, Secretary of State.

CHAPTER 58.

COMPENSATION OF THE STATE PRINTER AND THE STATE BINDER.

- H. F. 19. AN ACT to Fix the Compensation of State Printer and State Binder.
[Amendatory of Code, Title XXIII., Chapter 1, relating to the Compensation of State and District Officers.]

Code: § 3764. SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That section 3764, chapter 1, title 23, of the code, is hereby amended as follows: Strike out the two first lines, and insert these words: "The state printer shall be paid "ninety per cent. of the following prices for all work done for the "state, and no more."

Pay of state printer reduced ten per cent.

§ 3767. Pay of binder reduced fifteen per cent. Proviso: not to affect incumbents.

SEC. 2. Section 3767 of the code is hereby amended by inserting after the word "paid," in the first line, the words "Eighty-five per cent. of": *Provided,* That nothing in this act shall be so construed as will in any manner affect the compensation of the present state printer and binder during the unexpired term of their office.

Approved March 21st, 1874.

CHAPTER 59.

MINORS IN BILLIARD SALOONS, ETC.

- S. F. 121. AN ACT to Prohibit the Encouragement of Minors to remain in Certain Buildings. [Additional to Code, Title XXIV., Chapter 12, relating to Offenses Against Public Policy.]

Minors not to be allowed to remain in billiard-rooms, saloons, &c. SECTION 1. *Be it enacted by the General Assembly of the State of Iowa:* It shall be unlawful for any person who keeps a billiard-hall, beer-saloon, or nine or ten pin alley, or the agent, clerk, or servant of any such person, or any person having charge or control of any such hall, saloon, or alley, to permit any minor or minors to remain in such hall, saloon, or alley, or to take part in any of the games known as billiards, nine or ten pins.

Penalty for violation.

SEC. 2. For a violation of the provisions of the foregoing section the offender shall, on conviction thereof, be punished by a fine not less than five dollars nor exceeding one hundred dollars, or imprisonment in the county jail not exceeding thirty days.

Approved March 21st, 1874.

CHAPTER 60.

IN RELATION TO SAVINGS BANKS.

AN ACT to Provide for the Organization and Management of Savings Banks. S. F. 48.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That corporations to be known as savings banks ^{May be formed.} may be formed, under and in accordance with the provisions of this act, for the purpose of receiving on deposit the savings and funds of others, and preserving and safely investing the same, and paying interest or dividends thereon; and such corporations, and the stockholders thereof, shall be subject to all the conditions and liabilities herein imposed; and hereafter no association shall be formed under the general incorporation acts for the purpose of transacting such banking business; and all corporations now organized thereunder and doing business as savings banks, shall, on or before the 1st day of July, A. D. 1875, conform to and reorganize under the provisions of this act, as hereinafter provided, and any failure or neglect of the proper officers of such associations to comply with the provisions of this act, shall be regarded as a forfeiture of all rights and privileges of such associations. ^{Not to be formed under general incorporation laws. Existing banks to conform.}

SEC. 2. It shall be lawful for any number of persons, not less than five, to organize savings banks under the provisions of this act, with a paid-up capital stock of not less than ten thousand dollars in cities and towns of ten thousand inhabitants, or under; and a paid-up capital stock of not less than fifty thousand dollars in cities of over ten thousand inhabitants; which said corporations shall be known as savings banks, and shall have power to transact the usual business of such institutions, but not to issue bank-notes to circulate as money, but no such association shall have the right to commence business until its officers elect, or its shareholders, shall have furnished to the auditor of state a sworn statement of the paid-up capital, and, when the auditor of state is satisfied as to the fact, he shall issue to such association a certificate authorizing it to commence business, a copy of which shall be published in some newspaper printed in the county where such association is located, for four consecutive weeks, at the expense of such association. If the auditor of state should deem it necessary before issuing a certificate, he may make a personal examination of capital stock, or cause one to be made by some competent person appointed by him, the expense of which shall be paid by the association. ^{Organization. Amount of capital. Auditor's certificate. Auditor may examine.}

SEC. 3. Any five or more persons of full age, a majority of whom shall be citizens of this state, who may desire to form an incorporated company for the purposes hereinbefore specified, shall make, sign, and acknowledge, before some officer competent to take acknowledgments of deeds, and file in the office of the recorder of the county wherein the principal place of business of ^{Articles of incorporation. Filed.}

What shall be stated in articles.

the company is intended to be located, and a certified copy thereof in the office of the secretary of state, articles of incorporation, in which shall be stated, the corporate name of the corporation; the object for which the corporation shall be formed; the amount of its capital stock; the time of its existence not to exceed fifty years; the number of its directors or trustees, and their names, who shall manage the affairs of the association for the first year; and the name of the city, or town, and county in which the principal place of business of the company is to be located; and a notice must be published in some newspaper published in the county wherein said bank is located for four consecutive weeks, stating the substance of the above requirements.

Notice.

Certified copy evidence.

SEC. 4. A copy of any articles of incorporation, filed in pursuance of this act and certified to by the recorder of the county in which it is filed, or by the secretary of state, shall be received in all courts, and in all actions and proceedings, as presumptive evidence of the facts therein stated.

Enumeration of powers.

SEC. 5. When the certificate of the auditor shall have been received, and the articles of incorporation shall have been filed and recorded, and publication shall have been made as hereinbefore provided, the persons who shall have signed and acknowledged the same, and such persons as thereafter become their associates, or successors, shall be a body politic and corporate, and by their corporate name shall have succession for the period limited, and power:

First. To sue and be sued in any court.

Second. To make and use a common seal, and to alter the same at pleasure.

Third. To purchase, hold, sell, convey, and release from trust or mortgage, such real and personal estate as hereinafter provided for in this act.

Fourth. To appoint such officers, agents, and servants, as the business of the corporation shall require, to define their powers, prescribe their duties, and fix their compensation, and to require of them such security as may be thought proper for the fulfillment of their duties.

Fifth. To loan and invest the funds of the corporation; to receive deposits of money, and to loan and invest the same as hereinafter provided, and to repay such deposits without interest, or with such interest as the by-laws of the constitution may provide.

Sixth. To make by-laws, not inconsistent with the laws of this state, for the organization of the company, and the management of its property, the regulation of its affairs, the condition on which deposits will be received, the time and manner of dividing the profits and of paying interest on deposits, and for carrying on all kinds of business within the objects and purposes of the company.

Management

SEC. 6. The business and property of such savings banks shall be managed by a board of directors or trustees, of no less than five nor more than nine, all of whom shall be shareholders and citizens of this state, the first board to be designated in the arti-

cles of incorporation; *and* who shall organize by taking an oath, diligently, faithfully, and impartially to perform the duties imposed upon them by this act, and not knowingly to violate, or willingly to permit to be violated, any of the provisions thereof; that said directors or trustees are the bona fide owners in their own right of the stock standing in their respective names on the books of the bank; and that the same are not hypothecated, or in any manner pledged as security for any loan obtained, or debt owing to said savings bank; a certificate of which oath, signed by each director, and certified to by the officers before whom it was taken, shall be filed and preserved in the office of the auditor of state. The call for the first meeting of directors or trustees shall be signed by one or more persons named as directors or trustees in the certificate, setting forth the time and place of meeting, which notice shall be delivered personally to each director, or published at least ten days in some newspaper published in the county in which is the principal place of business of the corporation, or, if no newspaper is published in the county, then in a newspaper nearest thereto. At their first meeting, and as often thereafter as their by-laws shall require, the directors or trustees shall elect, from their number, a president and one or more vice presidents for the ensuing year; and shall appoint a treasurer or cashier, and such other subordinate officers, agents, and servants as may be required, who shall hold their offices at the pleasure of the board, and who shall give such security for the faithful performance of their duties as may be required by the by-laws. All vacancies in the board of directors or trustees shall be filled, at the next regular meeting after such vacancy shall arise, from among the stockholders, and the person receiving a majority of the votes of the whole number of directors or trustees shall be duly elected. The directors or trustees, to hold office after the expiration of the term of those named in the certificate of incorporation, shall be annually elected at such time and place, and in such mode, and upon such notice as shall be provided by the by-laws of the company, and shall hold office for one year, or until their successors are elected and qualified. All such elections shall be by ballot, and each stockholder shall be entitled to one vote for every share of stock held by him, and the persons so receiving the greater number of votes, shall be directors *of* [or] trustees. Shareholders may vote by proxy duly authorized, and no shareholder shall be entitled to vote whose liability to said bank is past due and unpaid. If it should happen at any time that an election of directors or trustees shall not be had on the day designated in the by-laws of the company, it shall be lawful on any other day to hold such election, after giving due notice, and the directors or trustees shall be continued in office until their successors are elected and qualified. A majority of the directors or trustees shall constitute a quorum of said board for the transaction of business, but said bank may provide in the by-laws that a smaller number, not less than five, one of whom shall be the president *and* [or] vice president, shall constitute a quorum, which number shall thereupon be authorized to transact business.

Directors or trustees to take oath.

Oath to be filed with auditor of state.

First meeting of board.

Officers.

Vacancies in board.

Annual elections.

Right to vote.

Deferred election.

Quorum.

Deposits.	<p>SEC. 7. All savings banks organized under this act may receive, on deposit, all such sums of money as shall from time to time be offered by tradesmen, merchants, laborers, servants, minors, and others. All such banks with a paid-up capital of ten thousand dollars may receive deposits to the amount of one hundred thousand dollars; those with a paid-up capital of twenty-five thousand dollars may receive deposits to the amount of two hundred and fifty thousand dollars; those with a paid-up capital of fifty thousand dollars, deposits to the amount of five hundred thousand; those with a paid-up capital of one hundred thousand dollars, deposits to the amount of one million dollars; and no greater amount of deposits shall be received without a like proportionate increase of cash capital, <i>and</i> which capital shall be regarded a guaranty fund for the better security of depositors, and so invested in some safe and available securities. The deposits so received for the purpose of safe keeping, and invested as provided in this act, shall be paid to such depositor or his or her representatives when requested at such time or times, and with such interest, and under such regulations as the board of directors or trustees shall from time to time prescribe, not inconsistent with the provisions of this act, which regulations shall be printed and conspicuously exposed in some place, accessible and visible to all, in the business office of said bank, and no alteration, which may at any time be made in such rules or regulations, shall in any manner affect the rights of depositors in respect to deposits, or the interest thereon, made previous to such alteration. It shall be lawful for savings banks to require sixty days' written notice of the withdrawal of any deposits, but when there are sufficient funds on hand the officers of the bank may in their discretion waive this requirement. It shall be lawful for savings banks to close any accounts upon written notice, as may be provided for in the by-laws, to a depositor to withdraw his deposit, after which notice it shall cease to draw interest: <i>Provided</i>, Nothing in this act shall be so construed as to prevent such banks in their discretion from issuing certificates of deposits, payable on demand.</p>
Limits.	
Repayment of deposits.	
May require notice.	
Accounts may be closed upon notice.	
Accounts closed by limitation.	<p>SEC. 8. All accounts upon which no deposit or drafts shall be made for a period of ten years in succession shall be so far closed that neither the sum deposited, nor the interest that shall have accrued thereon, shall be entitled to any interest after the expiration of the ten years from the date of the last deposit or draft. This provision, however, shall not apply to endowments for children, to trust estates, nor to other cases where special provision is made therefor at the time of the deposit thereof.</p>
Application.	
Investment of funds.	<p>SEC. 9. It shall be lawful for the directors or trustees of any such savings bank to invest the funds or capital belonging to said bank, and all moneys deposited therein, and all the gains and profits thereof, only as follows, to-wit:</p> <p>First. In the stocks or bonds, or interest-bearing notes or certificates, of the United States.</p> <p>Second. In the stocks or bonds, or evidences of debt bearing interest, of this State.</p>

Third. In the stocks, bonds, or warrants of any city, town, county, village, or school-district of this State, issued pursuant to the authority of any law of this state, but not exceeding twenty-five per cent. of the assets of the bank shall consist of town, village, or school-district bonds or warrants.

Fourth. In notes or bonds secured by mortgage or deed of trust upon unincumbered real estate in this state, worth at least twice the amount loaned thereon.

Fifth. It shall be lawful for said banks to discount, purchase, sell, and make loans upon commercial paper, notes, bills of exchange, drafts, or any other personal or public security; but said bank shall not purchase, hold, or make loans upon the shares of its capital stock.

Sixth. In all cases of loans upon real estate, all the expenses of searches, examinations, and certificates of title, or the inspection of property, appraisals of value, and of drawing, perfecting, and recording papers, shall be paid by such borrowers. Wherever buildings are included in the valuation of any real estate upon which a loan shall be made by said bank, they shall be insured by the mortgager, for the benefit of the bank for at least two-thirds their value, in some reliable company, and the policy of insurance shall be duly assigned to the bank; and it shall be lawful for said bank to renew such policy of insurance from year to year, in case the mortgager neglects to do so, and may charge the same to him. All the necessary charges and expenses paid by said bank for such renewals shall be paid by such mortgager to the said bank, and shall be a lien upon the property so mortgaged until paid.

SEC. 10. It shall be lawful for savings banks to purchase, hold, and convey real estate only as follows, to-wit:—

First. The lot and building in which the business of the bank may be carried on.

Second. Such as shall have been purchased at sales upon foreclosure of mortgages owned by the bank, or upon judgment or decrees obtained or rendered for debts due it; and all such real estate as is described in this clause shall be sold by said bank within ten years after the title of the same shall be vested in it by purchases or otherwise.

SEC. 11. It shall be the duty of the board of directors or trustees, from time to time, to regulate the rate of interest or dividends to be allowed to depositors, and to pay the same upon the presentation of the deposit-book or certificates; and after the payment of, or setting aside a sufficient amount to pay, the interest to depositors of said banks, and after deducting the necessary expenses of said banks, the board of directors or trustees may make from the surplus profits in hand in cash such dividends on the capital stock as in their discretion may seem best and proper.

SEC. 12. The capital stock of all banks organized under this act shall be divided into shares of one hundred dollars each, and shall be deemed personal property, and shall be transferable on the books of the banks in such manner as shall be prescribed by the by-laws. No certificate representing shares of stocks shall

Certificates of stock to be full paid. or be issued (nor shall such stock be considered as *re*[ac]quired) until the whole sum of money which such certificate purports to represent shall have been paid into the corporation. Shareholders

Liability of shareholders.

in banks organized under the provisions of this act shall be individually and severally liable to the creditor[s] of the corporation of which they are shareholders, over and above the amount of stock by them held, to an amount equal to their respective shares so held, for all its liabilities accruing while they remained shareholders, and no transfer of stock shall affect such liability for the period of six months thereafter; and should any such bank become insolvent, and its assets be found insufficient to pay its debts and liabilities, its shareholders may, to that extent, be compelled to pay such deficiency, in proportion to the amount of stock owned by each.

Stock held by executor, guardian, &c., by married women.

SEC. 13. Whenever any stock is held by any person as executor, administrator, trustee, or guardian, he may represent such stock, in person or by proxy, and any married woman holding stock in her own name, in any bank organized under this act, may cast her vote or appoint her own proxy to vote for her.

Other associations having deposits or holding stock.

SEC. 14. Any person authorized thereto, by resolution of the board of directors or trustees of any corporation, association, or society, having funds deposited, or owning stock, in any bank formed under this act, shall be entitled to receive such deposit or to transfer such stock, and to cast the vote of such corporation, association, or society thereon.

Deposits by executors, &c.;
By minors;

SEC. 15. Whenever any deposits are held by any person *or* [as] executor, administrator, trustee, or guardian, he shall be entitled to receive the same; and whenever any deposit shall be made by any minor the directors or trustees shall pay to such depositor such sum as may be due to him or her, although no guardian shall have been appointed by or for such minor, or the guardian of such minor shall not have authorized the drawing of the same; and the check, receipt, or acquittance of such minor shall be as valid as if the same *was* [were] executed by a guardian of said minor, or said minor *was* [were] of full age, if such deposit was made personally by said minor; and whenever any deposit shall be made in her own name by any woman being or thereafter becoming married, said director[s] or trustees shall pay such sum as may be due to her on her receipt or acquittance.

By married women.

Not to issue circulating notes nor to contract debts, except, &c.

SEC. 16. No bank organized under this act shall, by implication or construction, be deemed to possess the power of creating and issuing bills, notes, or other evidences of debt for circulation as money; nor shall it be lawful for such bank, or the directors or trustees thereof, to contract any debt or liability against the bank, for any purpose whatever, except for deposits and the necessary expenses of management and transacting its business; and the capital stock and the assets of the bank shall be security to depositors.

Security to depositors.

Directors not to be paid.

SEC. 17. No director or trustee of a saving[s] bank shall, as such, receive any pay or emolument for his services; and no trustee, officer, or servant of such savings bank shall, directly or indirectly, in any manner, use the funds of the said bank, or

its deposits, or any part thereof, except for regular business transactions, and all loans made to said trustees, officers, servants, and agents of the bank shall be upon the same security [as] required of others, and in strict conformity to the rules and regulations of the bank; and all such loans shall be made only by the board, and shall be acted upon in the absence of the party applying therefor; but such reasonable compensation may be paid to the officers of the bank as may from time to time be fixed in the by-laws.

Use of funds
by officers
restricted.

Pay of officers.

SEC. 18. The total liabilities to any association of any person, or of any company, corporation, or firm, for money borrowed, including in the liabilities of a company or firm the liabilities of the several members thereof, shall at no time exceed twenty per cent. of capital stock actually paid in: *Provided*, That the discount of bona fide bills of exchange drawn against actually existing value and the discount of commercial or business paper actually owned by the person or persons, corporation, or firm negotiating the same shall not be considered money borrowed.

Limit of
liabilities to
the bank.

Proviso.

SEC. 19. The misnomer of any such savings bank, in any instrument, shall not vitiate or impair the same if it be sufficiently described to ascertain the intention of the parties.

Misnomer.

SEC. 20. It shall not be lawful for any bank, banking association, or private bankers, to advertise or put forth a sign as a savings bank or savings institution; and any bank, banking association, or private banker, violating these provisions, shall forfeit and pay, for every such offense, the sum of one hundred dollars for every day such offense shall be continued, to be sued for, and recovered in the name of the people of the state, in any court having cognizance thereof, for the use of the school-fund.

Unauthorized
use of the
term "savings
bank" prohib-
ited.

Fine.

SEC. 21. Any person or persons who shall put up or cause to be put up or exhibited any sign, or who shall issue or circulate any card, circular, or advertisement purporting to be a savings bank not being organized under this act shall, on conviction thereof, be adjudged guilty of a misdemeanor, and be punished by a fine not exceeding fifty dollars for each offense or for each day such offense shall be continued.

Same.

SEC. 22. All associations organized under the general incorporation laws of this state, for the purpose of transacting a banking business, buying, selling, exchange, receiving deposits, discounting notes, etc., shall make a full, clear, and accurate statement of the condition of the association as hereinafter provided, which shall be verified by the oath of the president or vice president or cashier and two of the directors, which statement shall contain:—

Code: § 1570.

Banking asso-
ciations to
make quar-
terly state-
ments.

First. The amount of capital stock actually paid in.

What to
specify.

Second. The amount of debts of every kind due to banks, bankers, or other persons other than regular deposits.

Third. The total amount due depositors including sight and time deposits.

Fourth. The amount subject to be drawn at sight then remaining on deposit with solvent banks or bankers of the country, specifying each city and town and the amount deposited in each and belonging to such association.

Fifth. The amount of gold and silver coin and bullion belonging to such association at the time of making statement.

Sixth. The amount then on hand of bills of solvent banks.

Seventh. The amount of bills, bonds, and other evidences of debt, discounted or purchased by such association, and then belonging to the same, specifying particularly the amount of suspended debts, the amount considered good, the amount considered doubtful, and the amount in suit or judgment.

Eighth. The value of real or personal property held for the convenience of such association, specifying the amount of each.

Ninth. The amount of undivided profits if any then on hands.

Tenth. The total amount of all liabilities to such association on the part of the directors thereof:

Which statement shall be forthwith transmitted to the auditor of state and be by him filed in his office.

SEC. 23. The auditor of state shall, at any time he may see proper, make, or cause to be made, an examination of any association, as here[in]after provided, contemplated in this chapter, or he shall call upon any such association for a report of its state and condition as hereinbefore provided, upon any given day which has passed, as often as four times in a year, *and* which report the auditor shall cause to be published for one day in some daily newspaper published in the county where such association shall be located, or, if there be no such newspaper published in said county, then such report shall be published in some weekly newspaper printed in said county for one week, and the expenses of such publication shall be paid by such institution.

SEC. 24. It shall be the duty of the auditor of state to communicate to the legislature, at each session, a statement of the condition of every savings bank, from which reports have been received for the preceding year, and to suggest any amendments in the law relative to savings banks which in his judgment may be necessary or proper to increase the security of depositors.

SEC. 25. Whenever it shall appear to the auditor that any savings bank has been guilty of violating this act or the law, or is conducting its business in an unsafe manner, he shall, by an order under his hand and seal of office, addressed to the institution so offending, direct discontinuance of such illegal and unsafe practices, and he shall demand a conformity with the requirements of this act, and whenever any such savings bank shall refuse or neglect to comply with such order, he shall communicate the fact to the attorney-general of the state, whose duty it shall be to institute proceedings, against such savings banks, as are now, or may be hereafter, authorized in law in cases of insolvent corporations. The auditor of state may appoint, and the person or persons who may be appointed by him, to examine the affairs of any savings banks, shall have power to administer oaths to any person whose testimony may be required on any such examination, and to compel the appearance and attendance of any such person, for the purpose of such examination, by summons, subpoena, or attachment, in the manner now authorized in respect to the attendance

Auditor to
examine asso-
ciation;
To call for
report four
times a year.

Same to be
published.

Auditor to
report to gen-
eral assembly,
with recom-
mendations.

Duty of audi-
tor where
bank is vio-
lating law, or
doing unsafe
business.

Duty of attor-
ney general,

Authority of
examiners.

of persons as witnesses in the courts of this state, and all books and papers which it may be deemed necessary to examine by the auditor, on the examination so appointed, shall be produced, and their production may be compelled in like manner. The expenses of any examination, made in pursuance of this act, shall be paid by the savings banks so examined, in such amount as the auditor shall certify to be just and reasonable.

SEC. 26. Every officer, agent, or clerk of any savings bank organized under this act, who shall willfully and knowingly subscribe or make any false statements or false entries in the books of such bank, or shall knowingly subscribe or exhibit false papers with the intent to deceive any person authorized to examine as to the condition of said institution, or shall willfully or knowingly subscribe or make false reports, shall be deemed guilty of felony, and upon conviction thereof shall be fined not exceeding ten thousand dollars, and be imprisoned in the state prison not less than two nor more than five years, and be forever after incapable of holding any office created by this act.

Penalty for false statements, false entries, exhibits, and reports.

SEC. 27. Intentional fraud on the part of savings banks organized under this act, or in deceiving the public or individuals in relation to their means or their liabilities, or diversion of the funds of the bank to other objects than those mentioned in its certificate of incorporation, and the payment of dividends which leave insufficient funds to meet the liabilities of the bank, shall subject those guilty thereof to fine of not less than five hundred dollars, or imprisonment of not less than one year, or by both such fine and imprisonment at the discretion of the court, and shall cause a forfeiture of all the privileges herein conferred, and the court may proceed to close the bank by an information in the manner prescribed by law.

Intentional fraud punished.

SEC. 28. The paid-up capital of all savings banks organized and doing business under this act shall be subject to the same rates of taxation and rules of valuation as other taxable property, by the revenue laws of the state, which taxes shall be levied on and paid by the banks and not the individual stockholders, and the general assembly shall never impose any greater tax upon property employed in banking under this act than is or may be imposed upon the property of individuals. The franchise of all such banks, the savings and funds deposited therein, and the mortgages and other securities, wherever the same are invested, are not to be taxed, but are expressly exempted therefrom, and may be omitted from assessments of the bank required by the revenue laws of this state.

Taxation of capital.

To be paid by bank.

No greater tax to be imposed on banking property than any other.

Exemption from taxation.

SEC. 29. Whenever it is desired to increase the amount of capital stock of such banks, a meeting of stockholders may be called by a notice signed by the officers of said bank, and at least a majority of its directors, and published at least thirty days in every issue of some newspaper published in the county where the principal place of business of the bank is located, which notice shall specify the object of the meeting, the time and place when it is to be held, and the amount which it is proposed to increase the capital stock; and a vote of two-thirds of all the shares of

Mode of increasing capital stock.

Certificate.

stock of said bank shall be necessary to an increase of the amount of capital stock. If at any meeting so called a sufficient number of votes have been given in favor of increasing the amount of capital stock, a certificate of the proceedings, showing a compliance with these provisions, the amount of capital stock actually paid in, and the amount to which the capital stock is to be increased, and the manner of such increase, shall be made out, signed, and verified by the affidavit of the chairman and secretary of the meeting, certified by a majority of the directors or trustees, and filed and recorded as required by the third section of this act. When this is done, the capital stock of the bank shall be increased to the amount specified in the certificate.

Voluntary dissolution.

SEC. 30. All savings banks organized under this act may be dissolved, prior to the period fixed upon in the certificate of incorporation, by the affirmative votes of stockholders holding three-fourths of the capital stock, at a meeting of stockholders to be called for this purpose in the manner and after publication of notice as required in the preceding section. In all cases of dissolution of a bank hereunder, or the commencement of proceedings under this act to close the same, the receiver or receivers appointed thereunder shall not be required or permitted by forced sale to sell the securities of said banks, but shall proceed as expeditiously as possible to collect the same and make distribution of proceeds to those entitled thereto.

Winding-up.

Existing banks reorganized.

Mode of reorganization.

SEC. 31. Any bank or association existing under and by virtue of any law of this state may be reorganized under the provisions of this act, and when duly organized all securities, real estate, or property may be transferred to such new organization; but no such reorganization shall have the effect to discharge the original bank, its directors or stockholders, from any liability to its depositors or any other person; but the same shall continue until legally discharged, and such new organization or bank shall be legally liable to pay every claim or demand existing against the bank whose assets or property, or any part thereof, it has received by reason of such reorganization. All such banks may avail themselves of the provisions [of] and become incorporated under this act, by filing with the recorder of the county in which the principal place of business is located, and a certified copy thereof in the office of the secretary of state, a certificate stating their intention and election to become so incorporated thereunder, which election and intention may be made and declared by the directors or trustees of such bank or association, or a majority of them. The certificate stating such intention may be signed by the president and secretary of such corporation, association, or bank, and shall be acknowledged before some officer competent to take acknowledgments of deeds; and in all other respects existing banks and associations reorganizing hereunder shall comply with, and conform to, all the provisions and requirements of this act with reference to the original organization of savings banks, so far as the same may be applicable, and as soon thereafter as the auditor's certificate is received and published, as hereinbefore provided, may proceed to transact business.

SEC. 32. Any saving[s] bank organized under the provisions of this act is hereby prohibited from advertising in any way, either by publication or otherwise, any greater amount of capital than such banks *have* [has] actually paid in, and such bank shall be subject to a fine of twenty-five dollars for each and every violation of this section. Prohibited from advertising more capital than is paid in. Fine.

SEC. 33. All acts, and parts of acts in conflict with this act, are hereby declared to be inoperative so far as they affect this act. Repeal.

Approved March 21st, 1874.

CHAPTER 61.

VACATION OF TOWN-PLATS.

AN ACT in Relation to Vacation of Town-Plats. [Additional to Code, S. F. 269. Title IV., Chapter 12: "Of Plats."]

Be it enacted by the General Assembly of the State of Iowa, That whenever the owners of any piece of land, not less than 40 acres in amount, which has been platted into town-lots, and the plat of which has been recorded, shall desire to vacate said plat or part of plat, it may be done in manner following. A petition signed by all the owners of the town or part of the town to be vacated shall be filed in the clerk's office of the district court of the district in which the land so platted lies, and notice of such petition shall be given, at least four weeks before the meeting of the court, by posting notices in three conspicuous places in the town where the vacation is prayed for, and one upon the court-house door of the county. At the term of court next following the filing of petition and notice, the court shall fix a time for hearing the petition, and notice of the day so fixed upon shall be given by the clerk of the court in some newspaper published in the county at least one week before the day appointed for the hearing. At the hearing of the petition, if it shall appear that all the owners of lots in the town or part of town to be vacated desire the vacation, and that there is no valid objection thereto, a decree shall be entered vacating such portion of the town, and the streets, alleys, and avenues therein, and for all purposes of assessments such portion of the town shall be as it [if] it had never been platted into lots: *Provided, however,* That, if any street as laid out on the plat shall be needed for the public use, it shall be excepted from the order of vacation, and shall remain a public highway: *And further provided,* That this act shall not affect cities of the first and second class. Plats may be vacated. Petition by all the owners. Notice of same. Newspaper publication. Decree. Proviso; street may be excepted. Proviso; cities of 1st and 2d class not affected.

Approved March 21st, 1874.

CHAPTER 62.

IN RELATION TO PEDDLERS' LICENSES.

S. F. 244. AN ACT to Amend Section 906 of the Code [Title VI., Chapter 2: "Of
"the Collection of Taxes"].

Be it enacted by the General Assembly of the State of Iowa :

Code: § 906. SECTION 1. That section 906, of chapter 2 of title 6, of the
code be amended by adding to said section the following proviso,
to-wit:

Peddlers' tax not to be exacted of wholesale dealers. "Provided, however, That nothing in this section shall apply
to wholesale dealers in any of the above enumerated articles, who
use wagons for the delivery of goods sold at wholesale prices and
by the box or package."

Approved March 21st, 1874.

CHAPTER 63.

TAXATION OF MONEYS AND CREDITS.

AN ACT to Amend Section 812, Chapter 1, Title 6, Code of Iowa [re-
lating to the Assessment of Taxes].

Assessment of moneys and credits of banking associations and bankers. SECTION 1. *Be it enacted by the General Assembly of the
State of Iowa,* That section 812, chapter 1, title 6, code of Iowa,
be amended by inserting after the word "January," in the third
line of said section, the following, to-wit:

Average value. "Except moneys and credits of associations, organized under
the general incorporation laws of this state, for the purpose of
transacting a banking business, and moneys and credits of private
bankers, and others who have loaned money, bought notes,
mortgages, or other securities within the year previous to the time
of assessing; in every such instance the average value of the
moneys and credits which have been in the possession or under the
control of the person making the list during the year previous to
the time of making said assessment, shall be listed for taxation."

Approved March 21st, 1874.

CHAPTER 64.

INDUSTRIAL EXHIBITIONS IN SCHOOLS.

AN ACT to Establish and Maintain Industrial Expositions in Public Schools of the State. [Additional to Code, Title XII., Chapter 9: "Of the System of Common Schools."]

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That it shall be the duty of the board of directors of independent school-districts, and the subdirector of each subdistrict, if they should deem it expedient, under the direction of the county superintendent, to introduce and maintain an industrial exposition in connection with each school under their control within this state. School-directors may establish under direction county superintendent.

SEC. 2. That these expositions shall consist of useful articles made by the pupils, such as samples of sewing, and cooking of all kinds, knitting, crocheting, and drawing, iron and wood-work of all kinds, from a plain box or horse-shoe to a house or steam-engine in miniature; also, all other useful articles known to the industrial world, or that may be invented by the pupils in connection with farm and garden products in their season, that are the results of their own toil. To consist of articles made, invented, or grown by pupils.

SEC. 3. That the pupils be required to explain the use and method of their work, and kind and process of culture [of] farm and garden products. Pupils to explain.

SEC. 4. That the parents and friends of the pupils be allowed and requested to be present at said exposition. Presence of parents and friends.

SEC. 5. That ornamental work shall be encouraged when accompanied by something useful made by the same pupil. Ornamental work. |

SEC. 6. That these expositions be held in the school-room upon a school-day as often as once a term, and not oftener than once a month. To be held in school rooms; how often.

Approved March 21st, 1874.

CHAPTER 65.

NON-USER OF RAILROAD RIGHT OF WAY.

AN ACT to Amend Section 1260, Chapter 4, Title 10 of the Code of Iowa [relating to Taking Private Property for Works of Internal Improvement].

Be it enacted by the General Assembly of the State of Iowa, That section 1260, chapter 4, title 10, of the code of Iowa, be and the same is hereby amended so as to read as follows: Code, § 1260.

Section 1260. In any case where a railway, constructed in whole or in part, has ceased to be operated or used for more than five years, or in any case where the construction of a railway has been commenced by any corporation or person and work on the Non-user for five years deemed an abandonment in favor of party entering upon the work.

Code, § 1261.

same has ceased, and has not been in good faith resumed for more than five years, and the same remains unfinished, it shall be deemed and taken that such corporation or person thus in default has abandoned all right and privilege over so much as remains unfinished, as aforesaid, in favor of any other corporation or person which may enter upon such abandoned work as provided in section 1261.

Approved March 21st, 1874.

CHAPTER 66.

REBATE OF TAXES ON PROPERTY DESTROYED.

AN ACT to Amend Section 800 of the Code of 1873 [Title VI., Chapter 1: "Of the Assessment of Taxes"].

Code: substitute for § 800.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That section 800 of the code is repealed, and there is enacted in lieu thereof the following:

Rebate in case of destruction of buildings, crops, stock, or other property.

Section 800. The board of supervisors shall have power to rebate in whole or in part the taxes of any person whose buildings, crops, stock, or other property has been destroyed by fire, tornado, or other unavoidable casualty, if said property has not been sold for taxes or if said taxes have not been in default for thirty days at the time of destruction. But the loss for which such rebate is allowed shall be such only as is not covered by insurance.

Approved March 21st, 1874.

CHAPTER 67.

VOTING OF SCHOOL TAXES.

AN ACT Allowing School-Districts lying in two adjoining Counties the Right to vote Mills instead of specific Sums for School Purposes. [Addition to Code, Title XII., Chapter 9: "Of the System of Common Schools"].

Districts in two counties may vote mills for schools.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That all school-districts lying in two adjoining counties shall have the right to vote mills instead of specific sums for school purposes.

Approved March 21st, 1874.

CHAPTER 68.

AN ACT to Establish Reasonable Maximum Rates of Charges for the Transportation of Freight and Passengers on the Different Railroads of this State [Amendatory of Code, Title X., Chapter 5: "Of Railways."]
S. F. 12, 13, 25, 26, 40, 66, 73, and 104.

RATES OF FARE AND FREIGHT.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That all railroad corporations organized or doing business in this state, their trustees, receivers, or lessees, under the laws or authority thereof, shall be limited in their maximum charges to the rates of compensation for the transportation of passengers and freight, which are herein prescribed. All railroads in this state shall be classified according to the gross amount of their respective annual earnings within the state, per mile, for the preceding year, as follows: Class "A" shall include all railroads whose gross annual earnings, per mile, shall be four thousand dollars (\$4,000) or more. Class "B" shall include all railroads whose gross annual earnings, per mile, shall be three thousand dollars (\$3,000) or any sum in excess thereof less than four thousand dollars (\$4,000). Class "C" shall include all railroads whose gross annual earnings, per mile, shall be less than three thousand dollars (\$3,000). Classification of railroads.

SEC. 2. All railroad corporations, according to their classifications as herein prescribed, shall be limited to compensation per mile for the transportation of any person, with ordinary baggage, not exceeding one hundred pounds in weight as follows: Class "A" three cents; class "B" three and one-half cents; class "C" four cents: *Provided*, That no such corporation shall charge, demand, or receive any greater compensation per mile for the transportation of children twelve years of age or under, than half the rates above prescribed: *And provided, also*, A charge of ten cents may be added to the fare of any passenger, when the same is paid upon the cars, if a ticket might have been procured within a reasonable time before the departure of the train. Maximum rates of fare.

SEC. 3. The tariff rates established in the following schedule shall be considered the basis on which to compute the compensation for transporting freights, goods, merchandise, or property over any line of railroads within this State:— Tariff rates.

Schedule of
tariff rates.

[SCHEDULE OF TARIFF RATES.]

DISTANCES in miles.	Merchandise, in cents, per hundred pounds.				Flour and meal, in cents, per barrel, per car-load.	Salt, cement, plaster, and stucco, in cents, per barrel, in lots of 25 bar- rels or over.	All grain (except wheat) and mill stuffs, in cents, per 100 pounds, per car-load.	Wheat, in cents, per 100 pounds, per car-load.	Lumber, in dollars, per car-load.	Horses and mules, in dollars, per car-load.	Cattle and hogs, in dollars, per car- load.	Sheep, in dollars, per car-load, sin- gle deck.	Class A, in dollars, per car-load.	Class B, in dollars, per car-load.	Class C, in dollars, per car-load.	Coal, in dollars and cents, per ton, per car-load.
	First class.	Second class.	Third class.	Fourth class.												
1 and less than 2..	12 00	10 67	9 33	8 00	10 67	12 73	4 16	4 68	8 27	9 00	8 00	7 00	9 60	8 68	7 63	30
2	12 50	11 06	9 63	8 20	10 89	12 69	4 35	4 78	8 44	9 35	8 24	7 20	9 87	8 95	7 79	37
3	13 00	11 46	9 93	8 40	11 11	13 25	4 44	4 88	8 62	9 70	8 48	7 40	10 15	9 22	7 95	45
4	13 50	11 86	10 23	8 60	11 33	13 51	4 53	4 98	8 80	10 05	8 72	7 60	10 43	9 49	8 11	52
5	14 00	12 25	10 50	8 75	11 55	13 78	4 62	5 08	8 98	10 40	8 96	7 80	10 71	9 76	8 27	60
6	14 40	12 56	10 73	8 90	11 77	14 04	4 70	5 17	9 15	10 68	9 20	7 95	10 99	10 03	8 43	62
7	14 80	12 88	10 95	9 02	11 99	14 30	4 79	5 26	9 32	10 96	9 44	8 10	11 29	10 31	8 59	64
8	15 20	13 18	11 16	9 14	12 21	14 56	4 86	5 36	9 49	11 20	9 68	8 25	11 58	10 59	8 75	66
9	15 60	13 48	11 37	9 26	12 43	14 83	4 97	5 46	9 66	11 52	9 92	8 40	11 86	10 90	8 90	68
10	16 00	13 80	11 59	9 38	12 65	15 09	5 06	5 56	9 83	11 80	10 16	8 55	12 14	11 15	9 06	70
11	16 40	14 10	11 80	9 50	12 87	15 35	5 14	5 65	10 00	12 08	10 40	8 70	12 44	11 40	9 22	71
12	16 80	14 40	12 00	9 61	13 09	15 61	5 23	5 75	10 17	12 36	10 64	8 85	12 73	11 67	9 38	72
13	17 20	14 70	12 21	9 72	13 31	15 87	5 32	5 85	10 35	12 64	10 88	9 00	13 01	11 94	9 54	73
14	17 60	15 01	12 42	9 83	13 53	16 14	5 41	5 95	10 52	12 92	11 12	9 15	13 31	12 22	9 70	74
15	18 00	15 32	12 63	9 94	13 75	16 40	5 50	6 06	10 69	13 20	11 36	9 30	13 60	12 50	9 86	75
16	18 40	15 61	12 83	10 05	13 97	16 66	5 58	6 14	10 86	13 48	11 60	9 45	13 88	12 77	10 02	76
17																79

[illegible]

Schedule of
tariff rates —
Continued.

DISTANCES in miles.	Merchandise in cents, per hundred pounds.				Flour and meal, in cents, per barrel, per car-load.	Salt, cement, plaster and stucco, in cents, per barrel, in lots of 25 bar- rels or over.	All grain (except wheat) and mill- stuffs, in cents, per 100 pounds, per car-load.	Wheat, in cents, per 100 pounds, per car-load.	Lumber, in dollars, per car-load.	Horses and mules, in dollars, per car-load.	Cattle and hogs, in dollars, per car-load.	Sheep, in dollars, per car-load, sin- gle deck.	Class A, in dollars, per car-load.	Class B, in dollars, per car-load.	Class C, in dollars, per car-load.	Coal, in dollars and cents, per ton, per car load.
	First class.	Second class.	Third class.	Fourth class.												
51 and less than 52..	27 20	22 67	18 13	13 60	21 67	25 85	8 96	9 52	16 85	20 73	16 40	13 60	22 83	17 74	14 43	1 11
52 ..	27 40	22 83	18 26	13 70	21 89	26 11	8 95	9 62	17 02	20 86	16 52	13 70	22 99	17 84	14 53	1 12
53 ..	27 60	23 00	18 40	13 80	22 11	26 38	8 75	9 72	17 19	20 99	16 64	13 80	23 16	17 94	14 63	1 13
54 ..	27 80	23 17	18 53	13 90	22 33	26 64	8 93	9 82	17 36	21 12	16 76	13 90	23 32	18 04	14 74	1 14
55 ..	28 00	23 33	18 66	14 00	22 55	26 90	9 02	9 92	17 53	21 25	16 88	14 00	23 48	18 16	14 84	1 15
56 ..	28 20	23 50	18 80	14 10	22 77	27 16	9 10	10 01	17 70	21 38	16 98	14 10	23 65	18 28	14 95	1 16
57 ..	28 40	23 67	18 93	14 20	22 99	27 43	9 19	10 10	17 87	21 51	17 08	14 20	23 81	18 39	15 05	1 17
58 ..	28 60	23 83	19 06	14 30	23 21	27 69	9 28	10 20	18 04	21 64	17 18	14 30	23 98	18 51	15 15	1 18
59 ..	28 80	24 00	19 20	14 40	23 43	27 95	9 37	10 30	18 21	21 77	17 28	14 40	24 14	18 62	15 26	1 19
60 ..	29 00	24 17	19 33	14 50	23 65	28 21	9 46	10 40	18 38	21 90	17 38	14 50	24 30	18 73	15 36	1 20
61 ..	29 20	24 33	19 46	14 60	23 87	28 48	9 54	10 49	18 55	22 03	17 48	14 60	24 45	18 84	15 47	1 21
62 ..	29 40	24 50	19 60	14 70	24 09	28 74	9 63	10 59	18 73	22 16	17 58	14 70	24 62	18 95	15 57	1 22
63 ..	29 60	24 67	19 73	14 80	24 31	29 00	9 72	10 69	18 90	22 29	17 68	14 80	24 80	19 05	15 68	1 23
64 ..	29 80	24 83	19 86	14 90	24 53	29 26	9 81	10 79	19 07	22 42	17 78	14 90	24 97	19 16	15 78	1 24
65 ..	30 00	25 00	20 00	15 00	24 75	29 52	9 90	10 89	19 24	22 55	17 88	15 00	25 13	19 27	15 88	1 25
66 ..	30 20	25 17	20 13	15 10	24 97	29 79	9 98	10 98	19 41	22 68	17 98	15 10	25 30	19 38	15 99	1 26
67 ..	30 40	25 33	20 26	15 20	25 19	30 05	10 07	11 08	19 58	22 81	18 08	15 20	25 47	19 50	16 11	1 27
68 ..	30 60	25 50	20 40	15 30	25 41	30 31	10 16	11 17	19 75	22 94	18 18	15 30	25 63	19 61	16 22	1 28

69	70.	30 80	25 67	20 53	15 40	25 63	30 58	10 25	11 27	19 92	23 07	18 28	15 40	25 79	19 72	16 32	1 23
70	71.	31 00	25 83	20 66	15 50	25 85	30 84	10 34	11 37	20 09	23 20	18 38	15 50	25 96	19 83	16 43	1 30
71	72.	31 20	26 00	20 80	15 60	26 07	31 10	10 42	11 46	20 23	23 33	18 48	15 60	26 12	19 94	16 53	1 31
72	73.	31 40	26 17	20 93	15 70	26 29	31 36	10 51	11 56	20 43	23 46	18 58	15 70	26 29	20 05	16 64	1 32
73	74.	31 60	26 33	21 06	15 80	26 51	31 52	10 60	11 66	20 60	23 59	18 68	15 80	26 45	20 16	16 74	1 33
74	75.	31 80	26 50	21 20	15 90	26 73	31 89	10 69	11 75	20 77	23 72	18 78	15 90	26 61	20 26	16 85	1 34
75	76.	32 00	26 67	21 33	16 00	26 95	32 15	10 78	11 85	20 94	23 85	18 88	16 00	26 77	20 37	16 96	1 35
76	77.	32 20	26 83	21 46	16 10	27 17	32 41	10 86	11 95	21 11	23 98	18 98	16 10	26 95	20 48	17 07	1 36
77	78.	32 40	27 00	21 60	16 20	27 39	32 68	10 95	12 04	21 28	24 11	19 18	16 20	27 12	20 60	17 17	1 37
78	79.	32 60	27 17	21 73	16 30	27 61	32 94	11 04	12 14	21 45	24 24	19 18	16 30	27 28	20 71	17 28	1 38
79	80.	32 80	27 33	21 86	16 40	27 83	33 20	11 13	12 24	21 62	24 37	19 28	16 40	27 44	20 81	17 38	1 39
80	81.	33 00	27 50	22 00	16 50	28 05	33 46	11 22	12 34	21 89	24 50	19 38	16 50	27 60	20 92	17 49	1 40
81	82.	33 20	27 67	22 13	16 60	28 27	33 72	11 30	12 43	21 96	24 63	19 48	16 60	27 78	21 03	17 59	1 41
82	83.	33 40	27 83	22 26	16 70	28 49	33 99	11 39	12 52	22 13	24 76	19 58	16 70	27 94	21 14	17 70	1 42
83	84.	33 60	28 00	22 40	16 80	28 71	34 25	11 48	12 62	22 32	24 89	19 68	16 80	28 10	21 25	17 81	1 43
84	85.	33 80	28 17	22 53	16 90	28 93	34 51	11 57	12 72	22 49	25 02	19 78	16 90	28 26	21 36	17 91	1 44
85	86.	34 00	28 33	22 66	17 00	29 15	34 77	11 66	12 82	22 66	25 15	19 88	17 00	28 43	21 46	18 02	1 45
86	87.	34 20	28 49	22 79	17 10	29 37	35 04	11 75	12 92	22 83	25 28	19 98	17 10	28 59	21 56	18 12	1 46
87	88.	34 40	28 65	22 95	17 20	29 59	35 30	11 83	13 01	23 00	25 41	20 08	17 20	28 75	21 67	18 23	1 47
88	89.	34 60	28 81	23 11	17 30	29 81	35 56	11 92	13 11	23 17	25 54	20 18	17 30	28 91	21 78	18 33	1 48
89	90.	34 80	28 97	23 24	17 40	30 03	35 83	12 01	13 21	23 34	25 67	20 28	17 40	29 08	21 89	18 44	1 49
90	91.	35 00	29 13	23 37	17 50	30 25	36 09	12 10	13 31	23 51	25 80	20 38	17 50	29 25	22 00	18 54	1 50
91	92.	35 20	29 29	23 50	17 60	30 47	36 35	12 18	13 39	23 68	25 93	20 48	17 60	29 42	22 10	18 64	1 51
92	93.	35 40	29 45	23 63	17 70	30 69	36 61	12 27	13 49	23 85	26 06	20 58	17 70	29 58	22 21	18 75	1 52
93	94.	35 60	29 61	23 76	17 80	30 91	36 88	12 36	13 59	24 02	26 19	20 68	17 80	29 75	22 32	18 85	1 53
94	95.	35 80	29 83	23 87	17 90	31 13	37 14	12 45	13 69	24 19	26 32	20 78	17 90	29 91	22 42	18 96	1 54
95	96.	36 00	30 00	24 00	18 00	31 35	37 40	12 54	13 79	24 36	26 45	20 88	18 00	30 08	22 53	19 07	1 55
96	97.	36 20	30 16	24 13	18 10	31 57	37 66	12 62	13 88	24 53	26 58	20 98	18 10	30 24	22 64	19 18	1 56
97	98.	36 40	30 32	24 26	18 20	31 79	37 93	12 71	13 9	24 70	26 71	21 08	18 20	30 41	22 76	19 29	1 57
98	99.	36 60	30 48	24 39	18 30	32 01	38 19	12 80	14 08	24 87	26 84	21 18	18 30	30 57	22 88	19 39	1 58
99	100.	36 80	30 64	24 52	18 40	32 23	38 45	12 89	14 17	25 04	26 97	21 28	18 40	30 74	22 99	19 50	1 59
100	101.	37 00	30 80	24 65	18 50	32 45	38 71	12 98	14 26	25 22	27 10	21 38	18 50	30 90	23 10	19 60	1 60
101	102.	37 20	31 00	24 80	18 60	32 56	38 85	13 02	14 32	25 31	27 20	21 48	18 60	31 00	23 20	19 71	1 61
102	103.	37 40	31 17	24 93	18 70	32 67	38 99	13 06	14 36	25 39	27 30	21 58	18 70	31 10	23 30	19 82	1 62
																	Coal.
																	Class C.
																	Class B.
																	Class A.
																	Sheep.
																	Cattle and hogs.
																	Horses and mules.
																	Lumber.
																	Wheat.
																	Other grain.
																	Salt, cement, plaster, and stucco.
																	Flour.
																	Merchandise 4th class.
																	Do. 3d class.
																	Do. 2d class.
																	Do. 1st class.
																	Distances—continued.

Schedule of
tariff rates—
continued.

DISTANCES in miles.	Merchandise, in cents, per hundred pounds.				Flour and meal, in cents, per barrel, per car-load.	Salt, cement, plaster, and stucco, in cents, per barrel, in lots of 25 bar- rels or over.	All grain (except wheat) and mil- l-stuffs, in cents, per 100 pounds, per car-load.	Wheat, in cents, per 100 pounds per car-load.	Lumber, in dollars, per car-load.	Horses and mules, in dollars, per car load.	Cattle and hogs, in dollars, per car- load.	Sheep, in dollars, per car-load, sin- gle deck.	Class A, in dollars, per car load.	Class B, in dollars, per car-load.	Class C, in dollars, per car-load.	Coal, in dollars and cents, per ton per car-load.
	First class.	Second class.	Third class.	Fourth class.												
103 and less than 104	37 60	31 33	25 06	18 80	32 78	39 11	13 11	14 42	25 48	27 40	21 68	18 80	31 20	23 41	19 93	1 63
104	37 80	31 50	25 20	18 90	32 89	39 25	13 15	14 46	25 56	27 50	21 78	18 90	31 31	23 51	20 03	1 64
105	38 00	31 67	25 33	19 00	33 0	39 37	13 20	14 52	25 65	27 60	21 88	19 00	31 41	23 62	20 14	1 65
106	38 20	31 83	25 46	19 10	33 11	39 50	13 24	14 56	25 75	27 70	21 98	19 10	31 51	23 73	20 24	1 66
107	38 40	32 00	25 60	19 20	33 22	39 63	13 28	14 60	25 84	27 80	22 08	19 20	31 61	23 84	20 35	1 67
108	38 60	32 17	25 73	19 30	33 33	39 75	13 33	14 65	25 93	27 90	22 18	19 30	31 71	23 94	20 45	1 68
109	38 80	32 33	25 86	19 40	33 44	39 89	13 37	14 70	26 03	28 00	22 28	19 40	31 81	24 05	20 56	1 69
110	39 00	32 49	25 99	19 50	33 55	40 02	13 42	14 75	26 10	28 10	22 38	19 50	31 91	24 15	20 66	1 70
111	39 20	32 65	26 13	19 60	33 66	40 15	13 46	14 80	26 17	28 20	22 48	19 60	32 02	24 25	20 77	1 71
112	39 40	32 81	26 26	19 70	33 77	40 28	13 50	14 85	26 25	28 30	22 58	19 70	32 13	24 35	20 87	1 72
113	39 60	33 00	26 40	19 80	33 88	40 42	13 55	14 90	26 33	28 40	22 68	19 80	32 23	24 46	20 98	1 73
114	39 80	33 17	26 53	19 90	33 99	40 55	13 59	14 95	26 42	28 50	22 78	19 90	32 33	24 57	21 09	1 74
115	40 00	33 33	26 66	20 00	34 10	40 68	13 64	15 00	26 50	28 60	22 88	20 00	32 43	24 67	21 20	1 75
116	40 20	33 49	26 80	20 10	34 21	40 81	13 68	15 05	26 59	28 70	22 98	20 10	32 53	24 78	21 30	1 76
117	40 40	33 65	26 93	20 20	34 32	40 95	13 71	15 09	26 68	28 80	23 08	20 20	32 63	24 88	21 41	1 77
118	40 60	33 82	27 06	20 30	34 43	41 08	13 77	15 14	26 76	28 90	23 18	20 30	32 74	24 98	21 52	1 78
119	40 80	34 00	27 20	20 40	34 54	41 21	13 81	15 19	26 85	29 00	23 28	20 40	32 84	25 09	21 63	1 79
120	41 00	34 17	27 33	20 50	34 65	41 34	13 86	15 24	26 93	29 10	23 38	20 50	32 94	25 20	21 73	1 80

[illegible]

Schedule of
tariff rates—
continued.

DISTANCES in miles.	Merchandise, in cents, per hundred pounds.				Flour and meal, in cents, per barrel, per car-load.	Salt, cement, plaster, and stucco, in cents, per barrel, in lots of 25 bar- rels or over.	All grain (except wheat) and mil- luffs, in cents, per 100 pounds, per car-load.	Wheat, in cents, per 100 pounds, per car-load.	Lumber, in dollars, per car-load.	Horses and mules, in dollars, per car-load.	Cattle and hogs, in dollars, per car- load.	Sheep, in dollars, per car-load, sin- gle deck.	Class A, in dollars, per car-load.	Class B, in dollars, per car-load.	Class C, in dollars, per car-load.	Coal, in dollars and cents, per ton, per car-load.
	First class.	Second class.	Third class.	Fourth class.												
155 and less than 156	47 25	39 37	31 50	23 63	38 50	45 93	15 39	16 94	29 93	32 60	26 88	24 00	36 55	28 86	25 45	2 15
156	47 40	39 50	31 60	23 70	38 58	46 04	15 43	16 98	29 99	32 70	26 98	24 10	36 65	28 96	25 56	2 16
157	47 55	39 63	31 70	23 78	38 67	46 15	15 47	17 01	30 06	32 80	27 08	24 20	36 76	29 08	25 66	2 17
158	47 70	39 75	31 80	23 85	38 76	46 25	15 50	17 05	30 12	32 90	27 18	24 30	36 86	29 19	25 77	2 18
159	47 85	39 88	31 90	23 93	38 85	46 36	15 54	17 09	30 19	33 00	27 28	24 40	36 96	29 30	25 87	2 19
160	48 00	40 00	32 00	24 00	38 94	46 46	15 57	17 12	30 26	33 10	27 38	24 50	37 08	29 40	25 98	2 20
161	48 15	40 12	32 10	24 08	39 02	46 57	15 60	17 16	30 33	33 20	27 48	24 60	37 18	29 50	26 08	2 21
162	48 30	40 25	32 20	24 15	39 11	46 67	15 64	17 20	30 40	33 30	27 58	24 70	37 28	29 61	26 18	2 22
163	48 45	40 37	32 30	24 23	39 20	46 78	15 68	17 24	30 47	33 40	26 68	24 80	37 39	29 71	26 29	2 23
164	48 60	40 50	32 40	24 30	39 29	46 88	15 71	17 28	30 53	33 50	27 78	24 90	37 49	29 82	26 39	2 24
165	48 75	40 62	32 50	24 38	39 38	46 99	15 75	17 32	30 61	33 60	27 88	25 00	37 59	29 93	26 50	2 25
166	48 90	40 75	32 60	24 45	39 46	47 09	15 78	17 35	30 68	33 70	27 98	25 10	37 70	30 03	26 60	2 26
167	49 05	40 88	32 70	24 53	39 55	47 20	15 82	17 40	30 74	33 80	28 08	25 20	37 80	30 14	26 71	2 27
168	49 20	41 00	32 80	24 60	39 64	47 30	15 85	17 43	30 81	33 90	28 18	25 30	37 90	30 24	26 82	2 28
169	49 35	41 12	32 90	24 68	39 73	47 41	15 89	17 47	30 88	34 00	28 28	25 40	38 00	30 35	26 92	2 29
170	49 50	41 25	33 00	24 75	39 82	47 51	15 92	17 51	30 95	34 10	28 38	25 50	38 11	30 45	27 03	2 30
171	49 65	41 37	33 10	24 83	39 90	47 62	15 96	17 55	31 02	34 20	28 48	25 60	38 21	30 56	27 14	2 31
172	49 80	41 50	33 20	24 90	39 99	47 72	15 99	17 58	31 08	34 30	28 58	25 70	38 32	30 66	27 24	2 32

173	174	49 95	41 62	33 30	24 98	40 08	47 83	16 03	17 63	31 15	34 40	28 68	25 80	38 42	30 77	27 35	2 33	Coal.
174	175	50 10	41 75	33 40	25 05	40 17	47 93	16 06	17 66	31 22	34 50	28 78	25 90	38 52	30 87	27 45	2 34	Class C.
175	176	50 25	41 88	33 50	25 13	40 26	48 04	16 10	17 71	31 30	34 60	28 88	26 00	38 62	30 97	27 56	2 35	Class B.
176	177	50 40	42 00	33 60	25 20	40 34	48 14	16 13	17 74	31 36	34 70	28 98	26 10	38 73	31 08	27 66	2 36	Class A.
177	178	50 55	42 12	33 70	25 28	40 43	48 25	16 17	17 78	31 43	34 80	29 08	26 20	38 83	31 19	27 77	2 37	Sheep.
178	179	50 70	42 25	33 80	25 35	40 52	48 35	16 20	17 82	31 49	34 90	29 18	26 30	38 93	31 29	27 87	2 38	Cattle and hogs.
179	180	50 85	42 37	33 90	25 43	40 61	48 46	16 24	17 86	31 56	35 00	29 28	26 40	39 04	31 40	27 98	2 39	Horses and mules.
180	181	51 00	42 50	34 00	25 50	40 70	48 56	16 28	17 90	31 63	35 10	29 38	26 50	39 14	31 50	28 08	2 40	Lumber.
181	182	51 15	42 62	34 10	25 58	40 78	48 67	16 31	17 94	31 70	35 20	29 48	26 60	39 24	31 61	28 18	2 41	Wheat.
182	183	51 30	42 75	34 20	25 65	40 87	48 77	16 34	17 97	31 77	35 30	29 58	26 70	39 34	31 71	28 28	2 42	Other grain.
183	184	51 45	42 88	34 30	25 73	40 96	48 88	16 38	18 01	31 83	35 40	29 68	26 80	39 45	31 82	28 39	2 43	Salt, cement, plaster, and stucco.
184	185	51 60	43 00	34 40	25 80	41 05	48 98	16 45	18 09	31 98	35 50	29 78	27 00	39 55	31 92	28 52	2 44	Flour.
185	186	51 75	43 12	34 50	25 88	41 14	49 09	16 48	18 12	32 06	35 60	29 88	27 10	39 65	32 03	28 62	2 45	Merchandise 4th class.
186	187	51 90	43 25	34 60	25 95	41 22	49 19	16 48	18 12	32 06	35 70	29 98	27 20	39 75	32 13	28 73	2 46	Do. 3d class.
187	188	52 05	43 37	34 70	26 03	41 31	49 30	16 52	18 17	32 18	35 80	30 08	27 30	39 85	32 24	28 83	2 47	Do. 2d class.
188	189	52 20	43 50	34 80	26 10	41 40	49 40	16 56	18 21	32 31	35 90	30 18	27 40	39 95	32 34	28 94	2 48	Do. 1st class.
189	190	52 35	43 62	34 90	26 18	41 49	49 51	16 59	18 24	32 34	36 00	30 28	27 50	40 05	32 45	29 05	2 49	Distances—continued.
190	191	52 50	43 75	35 00	26 25	41 58	49 61	16 63	18 29	32 31	36 10	30 38	27 60	40 16	32 55	29 15	2 50	
191	192	52 65	43 88	35 10	26 33	41 66	49 72	16 66	18 32	32 38	36 20	30 48	27 70	40 27	32 66	29 26	2 51	
192	193	52 80	44 00	35 20	26 40	41 75	49 82	16 70	18 37	32 45	36 30	30 58	27 80	40 37	32 76	29 36	2 52	
193	194	52 95	44 12	35 30	26 48	41 84	49 93	16 73	18 40	32 53	36 40	30 69	27 90	40 47	32 87	29 47	2 53	
194	195	53 10	44 25	35 40	26 55	41 93	50 03	16 77	18 44	32 59	36 50	30 78	27 90	40 58	32 97	29 57	2 54	
195	196	53 25	44 37	35 50	26 63	42 02	50 14	16 80	18 48	32 67	36 60	30 88	28 00	40 68	33 08	29 68	2 55	
196	197	53 40	44 50	35 60	26 70	42 10	50 24	16 84	18 52	32 73	36 70	30 98	28 10	40 78	33 18	29 78	2 56	
197	198	53 55	44 62	35 70	26 78	42 19	50 35	16 87	18 55	32 80	36 80	31 08	28 20	40 88	33 29	29 89	2 57	
198	199	53 70	44 75	35 80	26 85	42 28	50 45	16 91	18 59	32 87	36 90	31 18	28 30	40 98	33 39	29 99	2 58	
199	200	53 85	44 88	35 90	26 93	42 37	50 56	16 94	18 63	32 93	37 00	31 28	28 40	41 09	33 50	30 10	2 59	
200	201	54 00	45 00	36 00	27 00	42 46	50 66	16 98	18 67	33 00	37 10	31 37	28 50	41 20	33 60	30 20	2 60	
201	202	54 15	45 12	36 10	27 08	42 54	50 77	17 01	18 71	33 07	37 20	31 46	28 56	41 30	33 71	30 31	2 60½	
202	203	54 30	45 25	36 20	27 15	42 63	50 87	17 05	18 75	33 14	37 30	31 55	28 62	41 40	33 81	30 41	2 61	
203	204	54 45	45 37	36 30	27 23	42 72	50 98	17 08	18 78	33 21	37 40	31 64	28 68	41 51	33 92	30 52	2 61½	
204	205	54 60	45 50	36 40	27 30	42 81	51 08	17 12	18 83	33 27	37 50	31 73	28 74	41 61	34 02	30 63	2 62	
205	206	54 75	45 62	36 50	27 38	42 90	51 19	17 16	18 87	33 34	37 60	31 82	28 80	41 71	34 12	30 74	2 62½	
206	207	54 90	45 75	36 60	27 45	42 98	51 29	17 19	18 90	33 41	37 70	31 91	28 86	41 81	34 23	30 84	2 63	

Schedule of
tariff rates—
continued.

DISTANCES in miles.	Merchandise, in cents, per hundred pounds.				Flour and meal, in cents, per barrel, per car-load.	Salt, cement, plaster, and stucco, in cents, per barrel, in lots of 25 bar- rels or over.	All grain (except wheat) and mill- stuffs, in cents, per 100 pounds, per car-load.	Wheat, in cents, per 100 pounds, per car-load.	Lumber, in dollars, per car load.	Horses and mules, in dollars, per car-load.	Cattle and hogs, in dollars, per car- load.	Sheep, in dollars, per car load, sin- gle deck.	Class A, in dollars, per car-load.	Class B, in dollars, per car load.	Class C, in dollars, per car-load.	Coal, in dollars and cents, per ton, per car-load.
	First class.	Second class.	Third class.	Fourth class.												
207 and less than 208	55 05	45 88	36 70	27 53	43 07	51 40	17 22	18 94	33 48	37 80	32 00	28 94	41 92	34 33	30 95	2 63‡
208	209	55 20	46 00	36 80	27 60	43 16	51 50	17 26	18 98	33 54	37 90	32 09	29 00	42 02	34 44	2 64
209	210	55 35	46 12	36 90	27 68	43 25	51 61	17 30	19 03	33 61	38 00	32 18	29 06	42 12	34 54	2 64‡
210	211	55 50	46 25	37 00	27 75	43 34	51 71	17 33	19 06	33 69	38 10	32 27	29 12	42 22	34 65	2 65
211	212	55 65	46 37	37 10	27 83	43 42	51 82	17 37	19 10	33 76	38 20	32 36	29 18	42 32	34 75	2 65‡
212	213	55 80	46 50	37 20	27 90	43 51	51 92	17 40	19 14	33 82	38 30	32 45	29 24	42 42	34 86	2 66
213	214	55 95	46 62	37 30	27 98	43 60	52 03	17 44	19 18	33 89	38 40	32 54	29 30	42 53	34 96	2 66‡
214	215	56 10	46 75	37 40	28 05	43 69	52 13	17 47	19 22	33 95	38 50	32 63	29 36	42 63	35 07	2 67
215	216	56 25	46 88	37 50	28 13	43 78	52 24	17 51	19 26	34 03	38 60	32 72	29 42	42 73	35 17	2 67‡
216	217	56 40	47 00	37 60	28 20	43 86	52 34	17 54	19 29	34 10	38 70	32 81	29 48	42 83	35 28	2 68
217	218	56 55	47 12	37 70	28 28	43 95	52 45	17 58	19 33	34 16	38 80	32 90	29 54	42 93	35 38	2 68‡
218	219	56 70	47 25	37 80	28 35	44 04	52 55	17 61	19 37	34 23	38 90	32 99	29 60	43 03	35 49	2 69
219	220	56 85	47 37	37 90	28 43	44 13	52 66	17 65	19 41	34 30	39 00	33 08	29 66	43 13	35 59	2 69‡
220	221	57 00	47 50	38 00	28 50	44 22	52 76	17 68	19 44	34 37	39 10	33 17	29 72	43 23	35 70	2 70
221	222	57 15	47 62	38 10	28 58	44 30	52 87	17 72	19 49	34 45	39 20	33 26	29 78	43 33	35 80	2 70‡
222	223	57 30	47 75	38 20	28 65	44 39	52 97	17 75	19 52	34 51	39 30	33 35	29 84	43 43	35 91	2 71
223	224	57 45	47 88	38 30	28 73	44 48	53 08	17 79	19 56	34 58	39 40	33 44	29 90	43 53	36 01	2 71‡
225	226	57 60	48 00	38 40	28 80	44 57	53 18	17 82	19 60	34 64	39 50	33 53	29 96	43 63	36 12	2 72

226	57 75	48 12	38 50	28 88	44 66	53 29	17 86	19 64	34 71	39 60	33 62	30 02	43 73	36 22	32 86	2 72	227	57 90	48 25	38 60	28 95	44 74	53 39	17 93	19 72	34 78	39 70	33 71	30 08	43 84	36 33	32 97	2 73	228	58 05	48 37	38 70	29 03	44 83	53 50	17 93	19 77	34 85	39 80	33 80	30 14	43 94	36 44	33 07	2 73	229	58 20	48 50	38 80	29 10	44 92	53 60	17 96	19 75	34 91	39 90	33 89	30 20	44 05	36 54	33 17	2 74	230	58 35	48 62	38 90	29 15	45 01	53 91	18 00	19 80	34 98	40 00	33 98	30 26	44 16	36 65	33 29	2 74	231	58 50	48 75	39 00	29 25	45 10	53 81	18 04	19 84	35 05	40 10	34 07	30 32	44 27	36 75	33 39	2 75	232	58 65	48 88	39 10	29 33	45 18	53 92	18 07	19 87	35 12	40 20	34 16	30 38	44 38	36 86	33 49	2 75	233	58 80	49 00	39 20	29 40	45 27	54 02	18 10	19 91	35 19	40 30	34 25	30 44	44 49	36 96	33 60	2 76	234	58 95	49 12	39 30	29 48	45 36	54 13	18 14	19 95	35 25	40 40	34 34	30 50	44 59	37 07	33 71	2 76	235	59 10	49 25	39 40	29 55	45 45	54 23	18 18	19 99	35 32	40 50	34 43	30 56	44 69	37 17	33 82	2 77	236	59 25	49 37	39 50	29 63	45 54	54 34	18 21	20 03	35 40	40 60	34 52	30 62	44 79	37 28	33 93	2 77	237	59 40	49 50	39 60	29 70	45 62	54 44	18 24	20 06	35 46	40 70	34 61	30 68	44 89	37 38	34 03	2 78	238	59 55	49 62	39 70	29 78	45 71	54 55	18 28	20 10	35 53	40 80	34 70	30 74	45 00	37 49	34 13	2 78	239	59 70	49 75	39 80	29 85	45 80	54 65	18 32	20 14	35 60	40 90	34 79	30 80	45 11	37 59	34 24	2 79	240	59 85	49 88	39 90	29 93	45 89	54 76	18 35	20 18	35 66	41 00	34 88	30 86	45 21	37 70	34 34	2 79	241	60 00	50 00	40 00	30 00	45 98	54 86	18 39	20 22	35 74	41 10	34 97	30 92	45 31	37 80	34 45	2 80	242	60 15	50 12	40 10	30 08	46 06	54 97	18 42	20 26	35 81	41 20	35 06	30 98	45 41	37 91	34 56	2 80	243	60 30	50 25	40 20	30 15	46 15	55 07	18 46	20 30	35 87	41 30	35 15	31 04	45 52	38 02	34 66	2 81	244	60 45	50 37	40 30	30 23	46 24	55 18	18 49	20 34	35 95	41 40	35 24	31 10	45 62	38 12	34 77	2 81	245	60 60	50 50	40 40	30 30	46 33	55 28	18 53	20 38	36 02	41 50	35 33	31 16	45 72	38 23	34 87	2 82	246	60 75	50 62	40 50	30 38	46 42	55 39	18 57	20 42	36 08	41 60	35 42	31 22	45 83	38 33	34 98	2 82	247	60 90	50 75	40 60	30 45	46 50	55 49	18 60	20 46	36 15	41 70	35 51	31 28	45 94	38 43	35 08	2 83	248	61 05	50 88	40 70	30 53	46 59	55 60	18 63	20 49	36 21	41 80	35 60	31 34	46 04	38 54	35 19	2 83	249	61 20	51 00	40 80	30 60	46 68	55 70	18 66	20 52	36 28	41 90	35 69	31 40	46 11	38 62	35 27	2 84	250	61 35	51 12	40 90	30 68	46 77	55 81	18 70	20 57	36 35	42 00	35 78	31 46	46 18	38 70	35 35	2 84	251	61 50	51 25	41 00	30 75	46 86	55 91	18 74	20 61	36 42	42 10	35 86	31 52	46 25	38 78	35 43	2 85	252	61 62	51 35	41 08	30 81	46 94	56 02	18 77	20 64	36 50	42 20	35 94	31 58	46 32	38 86	35 51	2 85	253	61 74	51 45	41 16	30 87	47 03	56 12	18 81	20 69	36 57	42 30	36 02	31 64	46 39	38 94	35 59	2 86	254	61 86	51 55	41 24	30 93	47 12	56 23	18 84	20 72	36 63	42 40	36 10	31 70	46 46	39 02	35 75	2 86	255	61 98	51 65	41 32	30 99	47 21	56 33	18 88	20 76	36 70	36 18	31 76	46 53	39 10	35 75	2 87	256	62 10	51 75	41 40	31 05	47 30	56 44	18 92	20 81	36 77	42 50	36 23	31 82	46 60	39 18	35 83	2 87	257	62 22	51 85	41 48	31 11	47 38	56 54	18 95	20 84	36 84	42 60	36 34	31 88	46 67	39 26	35 91	2 88	258	62 34	51 95	41 56	31 17	47 47	56 65	18 98	20 87	36 91	42 80	36 42	31 94	46 74	39 34	35 99	2 88	259	62 46	52 05	41 64	31 23	47 56	56 75	19 02	20 92	36 98	42 90	36 50	32 00	46 81	39 42	36 07	2 89	
225	226	227	228

Schedule of
tariff rates—
continued.

DISTANCES in miles.	Merchandise, in cents, per hundred pounds.				Flour and meal, in cents, per barrel, per car-load.	Salt, cement, plaster, and stucco, in cents, per barrel, in lots of 25 bar- rels or over.	All grain (except wheat) and mill- stuffs, in cents, per 100 pounds, per car-load.	Wheat, in cents, per 100 pounds, per car-load.	Lumber, in dollars, per car-load.	Horses and mules, in dollars, per car-load.	Cattle and hogs, in dollars, per car- load.	Sheep, in dollars, per car-load, sin- gle deck.	Class A, in dollars, per car-load.	Class B, in dollars, per car-load.	Class C, in dollars, per car-load.	Coal, in dollars and cents, per ton, per car-load.
	First class.	Second class.	Third class.	Fourth class.												
259 and less than 260	62 58	52 15	41 72	31 29	47 65	56 86	19 06	20 96	37 05	43 00	36 58	32 06	46 88	39 50	36 15	2 89½
260	62 70	52 25	41 80	31 35	47 74	56 96	19 09	20 99	37 12	43 10	36 66	32 12	46 95	39 58	36 23	2 90
261	62 82	52 35	41 88	31 41	47 82	57 07	19 12	21 03	37 19	43 20	36 74	32 18	47 02	39 66	36 31	2 90½
262	62 94	52 45	41 96	31 47	47 91	57 17	19 16	21 07	37 26	43 30	36 82	32 24	47 09	39 74	36 39	2 91
263	63 06	52 55	42 04	31 53	48 00	57 28	19 20	21 12	37 33	43 40	36 90	32 30	47 16	39 82	36 47	2 91½
264	63 18	52 65	42 12	31 59	48 09	57 38	19 23	21 15	37 40	43 50	36 98	32 36	47 23	39 90	36 55	2 92
265	63 30	52 75	42 20	31 65	48 18	57 49	19 27	21 19	37 47	43 60	37 06	32 42	47 30	39 98	36 63	2 92½
266	63 42	52 85	42 28	31 71	48 26	57 59	19 30	21 23	37 54	43 70	37 14	32 48	47 37	40 06	36 71	2 93
267	63 54	52 95	42 36	31 77	48 35	57 70	19 34	21 27	37 61	43 80	37 22	32 54	47 44	40 14	36 79	2 93½
268	63 66	53 05	42 44	31 83	48 44	57 80	19 37	21 30	37 68	43 90	37 30	32 60	47 51	40 22	36 87	2 94
269	63 78	53 15	42 52	31 89	48 53	57 91	19 41	21 35	37 75	44 00	37 38	32 66	47 58	40 30	36 95	2 94½
270	63 90	53 25	42 60	31 95	48 62	58 01	19 45	21 39	37 82	44 10	37 46	32 72	47 65	40 38	37 03	2 95
271	64 02	53 35	42 68	32 01	48 70	58 12	19 48	21 42	37 89	44 20	37 54	32 78	47 72	40 46	37 11	2 95½
272	64 14	53 45	42 76	32 07	48 79	58 22	19 51	21 46	37 96	44 30	37 62	32 84	47 79	40 54	37 19	2 96
273	64 26	53 55	42 84	32 13	48 88	58 33	19 55	21 50	38 03	44 40	37 70	32 90	47 86	40 62	37 27	2 96½
274	64 38	53 65	42 92	32 19	48 97	58 43	19 58	21 53	38 10	44 50	37 78	32 96	47 93	40 70	37 35	2 97
275	64 50	53 75	43 00	32 25	49 06	58 54	19 62	21 58	38 17	44 60	37 86	33 02	48 00	40 78	37 43	2 97½
276	64 62	53 85	43 08	32 31	49 14	58 64	19 65	21 61	38 24	44 70	37 94	33 08	48 07	40 86	37 51	2 98

Schedule of
tariff rates—
continued.

DISTANCES in miles.	Merchandise, in cents, per hundred pounds.				Flour and meal, in cents, per barrel, per car-load.	Salt, cement, plaster, and stucco, in cents, per barrel, in lots of 25 bar- rels or over.	All grain (except wheat) and mil- l-studs, in cents, per 100 pounds, per car-load.	Wheat, in cents, per 100 pounds, per car-load.	Lumber, in dollars, per car-load.	Horses and mules, in dollars, per car-load.	Cattle and hogs, in dollars, per car load.	Sheep, in dollars, per car load, sin- gle deck.	Class A, in dollars, per car-load.	Class B, in dollars, per car-load.	Class C, in dollars, per car-load.	Coal, in dollars and cents, per ton, per car-load.
	First class.	Second class.	Third class.	Fourth class.												
311 and less than 312	68 58	57 15	45 72	34 29	51 54	61 50	20 61	22 67	40 05	48 09	40 74	35 18	50 52	43 66	40 31	3 15
312	68 68	57 23	45 79	34 34	51 61	61 57	20 64	22 70	40 10	48 18	40 82	35 24	50 59	43 74	40 39	3 16
313	68 78	57 31	45 85	34 39	51 67	61 66	20 68	22 73	40 15	48 27	40 90	35 30	50 66	43 82	40 47	3 16
314	68 88	57 40	45 92	34 44	51 74	61 74	20 69	22 76	40 20	48 36	40 98	35 35	50 73	43 90	40 55	3 17
315	68 98	57 47	45 98	34 49	51 80	61 81	20 72	22 79	40 25	48 45	41 06	35 42	50 80	43 98	40 63	3 17
316	69 08	57 56	46 05	34 54	51 87	61 90	20 74	22 82	40 30	48 54	41 14	35 48	50 87	44 06	40 71	3 18
317	69 18	57 65	46 12	34 59	51 94	61 97	20 77	22 85	40 35	48 63	41 22	35 54	50 94	44 14	40 79	3 18
318	69 28	57 73	46 18	34 64	52 00	62 05	20 80	22 88	40 40	48 72	41 30	35 60	51 01	44 22	40 87	3 19
319	69 38	57 81	46 25	34 69	52 07	62 13	20 82	22 90	40 45	48 81	41 38	35 66	51 08	44 30	40 95	3 19
320	69 48	57 90	46 32	34 74	52 14	62 21	20 85	22 93	40 50	48 90	41 46	35 72	51 15	44 38	41 03	3 20
321	69 58	57 98	46 38	34 79	52 20	62 29	20 88	22 96	40 55	48 99	41 54	35 78	51 22	44 46	41 11	3 20
322	69 68	58 06	46 45	34 84	52 27	62 37	20 90	22 99	40 60	49 08	41 62	35 84	51 29	44 54	41 19	3 21
323	69 78	58 15	46 52	34 89	52 33	62 44	20 93	23 02	40 65	49 17	41 70	35 90	51 36	44 62	41 27	3 21
324	69 88	58 23	46 58	34 94	52 40	62 53	20 96	23 05	40 70	49 26	41 78	35 96	51 43	44 70	41 35	3 22
325	69 98	58 31	46 65	34 99	52 47	62 60	20 98	23 08	40 75	49 35	41 86	36 02	51 50	44 78	41 43	3 22
326	70 08	58 40	46 72	35 04	52 53	62 68	21 01	23 11	40 80	49 44	41 94	36 08	51 57	44 86	41 51	3 23
327	70 18	58 47	46 78	35 09	52 60	62 75	21 04	23 14	40 85	49 53	42 02	36 14	51 64	44 94	41 59	3 23
328	70 28	58 56	46 85	35 14	52 66	62 84	21 06	23 16	40 90	49 62	42 10	36 20	51 71	45 02	41 67	3 24

330	70 38	58 65	46 92	35 19	52 73	62 92	21 09	23 19	40 95	49 71	42 18	36 26	51 78	45 10	41 75	3 24½
331	70 48	58 74	46 99	35 24	52 80	63 00	21 12	23 23	41 90	49 8	42 26	36 32	51 85	45 18	41 83	3 25
332	70 58	58 81	47 05	35 29	52 86	63 07	21 14	23 25	41 05	49 89	42 34	36 38	51 92	45 26	41 93	3 25½
333	70 68	58 90	47 12	35 34	52 93	63 16	21 17	23 28	41 10	49 98	42 42	36 44	51 99	45 34	41 98	3 26
334	70 78	58 96	47 18	35 39	52 99	63 21	21 19	23 31	41 15	50 07	42 50	36 50	52 06	45 42	42 07	3 26½
335	70 88	59 05	47 25	35 44	53 06	63 31	21 22	23 34	41 20	50 16	42 58	36 56	52 13	45 50	42 15	3 27
336	70 98	59 15	47 32	35 49	53 13	63 39	21 25	23 37	41 25	50 25	42 66	36 62	52 20	45 58	42 23	3 27½
337	71 08	59 23	47 40	35 54	53 20	63 47	21 27	23 39	41 30	50 34	42 74	36 68	52 27	45 66	42 31	3 28
338	71 18	59 31	47 45	35 59	53 26	63 54	21 30	23 43	41 35	50 43	42 82	36 74	52 34	45 74	42 39	3 28½
339	71 28	59 40	47 52	35 64	53 32	63 63	21 32	23 45	41 40	50 52	42 90	36 80	52 41	45 82	42 47	3 29
340	71 38	59 48	47 58	35 69	53 39	63 70	21 35	23 48	41 45	50 61	42 98	36 86	52 48	45 90	42 55	3 29½
341	71 48	59 56	47 65	35 74	53 46	63 79	21 38	23 51	41 50	50 70	43 06	36 92	52 55	45 98	42 63	3 30
342	71 58	59 65	47 72	35 79	53 52	63 86	21 40	23 54	41 55	50 79	43 14	36 98	52 62	46 06	42 71	3 30½
343	71 68	59 73	47 78	35 84	53 59	63 94	21 43	23 57	41 60	50 88	43 22	37 04	52 69	46 14	42 79	3 31
344	71 78	59 81	47 85	35 89	53 65	64 02	21 46	23 60	41 65	50 97	43 30	37 10	52 76	46 22	42 87	3 31½
345	71 88	59 90	47 92	35 94	53 72	64 10	21 48	23 63	41 70	51 06	43 38	37 16	52 83	46 30	42 95	3 32
346	71 98	59 98	47 98	35 99	53 79	64 18	21 51	23 66	41 75	51 15	43 46	37 22	52 90	46 38	43 03	3 32½
347	72 08	60 06	48 05	36 04	53 85	64 26	21 54	23 69	41 80	51 24	43 54	37 28	52 97	46 46	43 11	3 33
348	72 18	60 15	48 12	36 09	53 92	64 33	21 56	23 71	41 85	51 33	43 62	37 34	53 04	46 54	43 19	3 33½
349	72 28	60 23	48 18	36 14	54 00	64 42	21 59	23 74	41 90	51 42	43 70	37 40	53 10	46 61	43 26	3 34
350	72 38	60 31	48 25	36 19	54 05	64 49	21 62	23 78	41 95	51 51	43 78	37 46	53 16	46 68	43 33	3 34½
351	72 48	60 40	48 32	36 24	54 12	64 57	21 64	23 80	42 00	51 60	43 86	37 52	53 22	46 75	43 40	3 35
352	72 58	60 48	48 38	36 29	54 18	64 66	21 67	23 83	42 05	51 69	43 94	37 58	53 28	46 82	43 47	3 35½
353	72 68	60 56	48 45	36 34	54 25	64 74	21 70	23 87	42 10	51 78	44 02	37 64	53 34	46 89	43 54	3 36
354	72 78	60 65	48 52	36 39	54 31	64 83	21 72	23 89	42 15	51 87	44 10	37 70	53 40	46 96	43 61	3 36½
355	72 88	60 73	48 58	36 44	54 38	64 91	21 75	23 92	42 20	51 96	44 18	37 76	53 46	47 03	43 68	3 37
356	72 98	60 81	48 65	36 49	54 45	64 99	21 78	23 95	42 25	52 05	44 26	37 82	53 52	47 10	43 75	3 37½
357	73 08	60 90	48 72	36 54	54 51	65 08	21 80	23 98	42 30	52 14	44 34	37 88	53 58	47 17	43 82	3 38
358	73 18	60 98	48 78	36 59	54 58	65 16	21 83	24 01	42 35	52 23	44 42	37 94	53 64	47 24	43 89	3 38½
359	73 28	61 06	48 85	36 64	54 64	65 25	21 85	24 03	42 40	52 32	44 50	38 00	53 70	47 31	43 96	3 39
360	73 38	61 15	48 92	36 69	54 71	65 33	21 88	24 06	42 45	52 41	44 58	38 06	53 76	47 38	44 03	3 39½
361	73 48	61 23	49 05	36 74	54 78	65 41	21 91	24 09	42 50	52 50	44 64	38 12	53 82	47 45	44 10	3 40
362	73 58	61 31	49 08	36 79	54 84	65 50	21 93	24 12	42 55	52 59	44 72	38 18	53 88	47 52	44 17	3 40½
363	73 68	61 40	49 12	36 84	54 91	65 58	21 96	24 15	42 60	52 68	44 90	38 24	53 91	47 59	44 24	3 41
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Schedule of
tariff rates —
continued.

DISTANCES in miles.	Merchandise, in cents, per hundred pounds.				Flour and meal, in cents, per barrel, per car-load.	Salt, cement, plaster and stucco, in cents, per barrel, in lots of 25 bar- rels or over.	All grain (except wheat) and mill- stuffs, in cents, per 100 pounds, per car-load.	Wheat, in cents, per 100 pounds, per car-load.	Lumber, in dollars, per car-load.	Horses and mules, in dollars, per car-load.	Cattle and hogs, in dollars, per car-load.	Sheep, in dollars, per car-load, sin- gle deck.	Class A, in dollars, per car-load.	Class B, in dollars, per car-load.	Class C, in dollars, per car-load.	Coal, in dollars and cents, per ton, per car-load.
	First class.	Second class.	Third class.	Fourth class.												
364	73 78	61 48	49 18	36 89	54 97	65 67	21 98	24 18	42 65	52 77	44 98	38 30	54 00	47 06	44 31	3 41½
363	73 88	61 56	49 25	36 94	55 04	65 75	22 01	24 21	42 70	52 86	45 06	38 36	54 06	47 73	44 38	3 42½
364	73 98	61 65	49 32	36 99	55 11	65 83	22 04	24 24	42 75	52 95	45 14	38 42	54 12	47 80	44 45	3 42½
365	73 98	61 65	49 32	36 99	55 11	65 83	22 04	24 24	42 75	52 95	45 14	38 42	54 12	47 80	44 45	3 42½
366	74 08	61 73	49 38	37 04	55 17	65 92	22 06	24 26	42 80	53 04	45 22	38 48	54 18	47 87	44 52	3 43½
367	74 08	61 73	49 38	37 04	55 17	65 92	22 06	24 26	42 80	53 04	45 22	38 48	54 18	47 87	44 52	3 43½
368	74 18	61 82	49 45	37 09	55 24	66 00	22 09	24 29	42 85	53 13	45 30	38 54	54 24	47 94	44 59	3 43½
369	74 28	61 90	49 52	37 14	55 30	66 09	22 12	24 32	42 90	53 22	45 38	38 60	54 30	48 01	44 66	3 44½
370	74 38	61 98	49 59	37 19	55 37	66 17	22 14	24 35	42 95	53 31	45 46	38 66	54 36	48 08	44 73	3 44½
371	74 48	62 06	49 66	37 24	55 44	66 25	22 17	24 38	43 00	53 40	45 54	38 72	54 42	48 15	44 80	3 45½
372	74 58	62 15	49 72	37 29	55 50	66 34	22 20	24 42	43 05	53 49	45 62	38 78	54 48	48 22	44 87	3 45½
373	74 68	62 23	49 79	37 34	55 57	66 42	22 22	24 44	43 10	53 58	45 70	38 84	54 54	48 29	44 94	3 46½
374	74 78	62 32	49 86	37 39	55 63	66 51	22 25	24 47	43 15	54 07	45 78	38 90	54 60	48 36	45 01	3 46½
375	74 88	62 40	49 92	37 44	55 70	66 59	22 28	24 50	43 20	54 15	45 86	38 96	54 66	48 43	45 08	3 47½
376	74 98	62 48	49 99	37 49	55 77	66 67	22 30	24 53	43 25	54 20	45 94	39 02	54 72	48 50	45 15	3 47½

* These figures, and any other in the schedule similarly indicated, are evidently erroneous, but are here given as they appear in the enrolled

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SEC. 4. It shall be unlawful for any railroad corporation to charge, demand, or receive a greater compensation for transporting merchandise or property over a line of railroad of class "A" than ninety per cent. of the rates established in the schedule of section three of this act; and it shall be unlawful for any railroad corporation to charge, demand, or receive a greater compensation for transporting goods, merchandise, or property over a line of railroad of class "B" than five per cent. in addition to the rates established in the schedule of section three of this act; and it shall be unlawful for any railroad corporation to charge, demand, or receive a greater compensation for transporting goods, merchandise, or property over a line of railroad of class "C" than 20 per cent. in addition to the rates established in the schedule of section three of this act.

Rates of transportation:
class A.

Do.: class B.

Do.: class C.

SEC. 5. The following classification of freights, explanatory of the preceding schedules, shall be taken and held to be the classification in force in this state under the provision[s] of this act:

Classification
of freights.

EXPLANATION OF CHARACTERS.		
The class as given opposite each article, 1, 2, 3, 4, stands for First, Second, Third, and Fourth Classes, respectively; 1½ for once and a half First Class, and D1 for Double First Class.		
Articles not enumerated will be classed with similar articles.		
Acids.....		D 1
25 carboys, or over.....		1
Car loads.....		4
Agricultural implements in car loads.....		Class A
Less than car loads as follows:		
Fanning mills, sulky horse-rakes, and similar light and bulky machines.....		D 1
Cultivators, corn-planters, harrows, shovel-plows and shearing machines.....		1½
Iron cultivators, wooden horse-rakes, reapers, mowers, harvesting machines, plows, seed-drills, and feed-cutters.....		1
Cultivators, corn-planters, shovel-plows, and fanning mills, when knocked down and taken apart.....		1
Sulky horse-rakes knocked down and teeth taken out.....		1
Iron corn-shellers.....		1
Threshers, one, at half car rate.		
Plows knocked down and boxed.....		2
Alcohol.....		1
Alcohol, 10 bbls. or more ...		2
Alcohol, 20 bbls. or over		4
Ale, 20 bbls. or over.....		4
Ale, less than 20 bbls.....		3
Ale, in glass, packed.....		1
Allspice.....		3
Almonds in sacks.....		1
Almonds in bbls. or boxes..		2
Alum.....		3
Ammunition, fixed — see Government supplies.		
Antimony, crude.....		1
Anvils.....		4
Apple butter, or sauce.....		2
Apples, dried.....		2
Apples, dried—50 bbls. or over.....		4
Apples, green, in bulk in car loads, same as potatoes		
Apples, green, 40 bbls. or more.....		4
Apples, green, less than 40 bbls.....		3
Apples in car loads of 120 bbls. or more; car load, flour rates.		
Ashes, pot, pearl, and soda		4
Ash boilers or kettles, large and heavy.....		4
Asphaltum.....		4
Axes.....		3
Ax-handles, boxed.....		3
Ax-handles in bundles.....		2
Axle grease.....		3
Axle-grease, 50 cases or over		4
Axle, iron.....		3
Axle, wooden.....		2

Classification of freights— continued.	Bacon, loose or in bags.....	2	Boilers, 30 feet long or over	1½
	Bacon, loose, car loads.....	4	Less than 30 feet.....	1
	Bacon, packed.....	4	Boiler felting	2
	Bagging	2	Boiler-plates	4
	Bags, in bales or bundles...	2	Bonnets, boxed.....	D 1
	Baking powders.....	2	Books	1
	Baking powders, 100 boxes or more.....	3	Boots and shoes, boxed and strapped	1
	Balance wheels, 8 ft. or less in diameter.....	1	Boots & shoes, not strapped	1½
	Bandboxes	D 1	Boots and shoes in trunks..	1½
	Bandboxes, boxed.....	1½	Borax	2
	Barilla.....	3	Bottles, in boxes.....	2
	Bark-mills	2	Bottles, in casks.....	3
	Bark, tanners'.....	3	Boxes, empty.....	1
	Bark, tanners', in car loads..	Class C	Boxes, empty, car load.....	Class A
	Barley, pearl.....	3	Bran, see mill-stuffs.	
	Barrels, empty, in car loads	Class C	Brass, in sheets, rods, and rivets	2
	Barrels, empty.....	1	Brass vessels.....	2
	Beer bbls.....	2	Brass castings.....	2
	Half bbls.....	2	Brass, scrap.....	2
	Quarter bbls.....	2	Bread.....	1
	Eighth bbls.....	2	Bread, in car load	4
	Baskets.....	D 1	Brick.....	4
	Baskets, car loads.....	Class A	Brick, common, in car loads	Class C
	Bath brick.....	4	Brick fire.....	4
	Bath-tubs	D 1	Brick, fire, in car loads.....	Class C
	Batting.. ..	D 1	Brick for stove-linings, loose	1
	Bay rum.....	1	Brick for stove-linings, in boxes or bbls.....	4
	Beans, dry.....	3	Brimstone, in boxes or kegs	2
	Beans, dry, car load.....	4	Brimstone, in bbls. or hhds	4
	Beans, castor.....	3	Britannia ware.....	1
	Beans, castor, car load.....	4	Broom corn, in bales.....	1
	Bed cord, in bundles.....	1	Car loads.....	4
	Bed-springs, in bundles	1	Broom corn presses.....	1½
	Bedsteads, rough.....	2	Broom corn seed.....	2
	Bedsteads, finished, in pieces	1	Brooms, in bales or bundles	1
	Beef, car loads.....	Class C	Broom-handles	2
	Beef, packed.....	4	Broom handles, car loads...Class A	
	Beef, dried, loose.....	2	Brushes, loose.....	D 1
	Bee-hives	D 1	Brushes, packed in boxes..	1
	Beer, car loads.....	Class A	Buckets.....	1
	Beer, same as ale.		Burial-cases.....	1
	Beeswax.....	2	Burning fluid.....	1
	Bells	2	Burr blocks.....	4
	Bellows.....	1	Butcher's blocks.....	2
	Belting, rubber or leather...	2	Butter, in crocks.....	1
	Benzole, same as coal oil....		Butter, in kegs or boxes....	2
	Benzine, same as coal oil....		Butter, 10,000 lbs. or over..	3
	Berries, except cranberries	1		
	Bird-cages, boxed.....	D 1	Cabinet ware, see furniture	
	Bitters, in glass, boxed.....	1	Cabinet organs.....	1
	100 boxes or over.....	2	Caissons	2
	Black lead, in bbls or boxes	3	Cable chain.....	4
	Blacking, shoe.....	3	Camphene, in wood.....	1½
	Bleaching salts or powders	4	Candles.....	2
	Blankets	1	Candles, 2,000 lbs or more..	4
	Blue vitriol.....	2	Canvass	1
	Blinds.....	1	Canvas, roofing.....	2
	Boats.....	D 1	Canes.....	1
	Boats, when flat car required.	Class A	Cane-mills.....	2
	Boiler-flues	2		

Cannon.....	2	Cheese-presses	1	Classification of freights— continued.
Cannon, on wheels, or if flat car required.....	Class A	Cheese-safes	D 1	
Candy	1	Chicory	3	
Canned goods.....	2	Chicken coops, empty	D 1	
Canned goods, 100 boxes or over	3	China ware.....	1	
Caps in boxes, strapped	1	Chocolate.....	2	
Caps in boxes, not strapped	1½	Churns, wood	1	
Caps in trunks.....	1½	Cider.....	3	
Carboys and contents	D 1	Cider, in car loads.....	Class A	
Carboys, empty.....	1	Cider-mills.....	1	
Carboys, empty, car loads.....	Class A	Cider presses.....	1	
Cards.....	1	Cigars, boxed and strapped	D 1	
Card-board	2	Cisterns, wood	D 1	
Carpets and carpeting.....	1	Clay.....	4	
Carpet-hemp	1	Clocks and weights	1	
Carpet-lining	1	Clothing, in trunks	1	
Carpenters' tools	1	Cloth[es]-pins, boxed	2	
Carriages and sleighs, not boxed	1½	Cloth[es]-wringers, not boxed	D 1	
Carriages, well boxed	D 1	Clover-seed	2	
Carriage springs, boxes, and axles	2	Clover-seed, car loads	4	
Car-springs, rubber.....	2	Coal, hard or soft, less than car load	4	
Car-springs, volute. boxed..	4	Coal, hard, car loads.....	Class C	
Car-wheels and axles.....	4	Coal, soft, in car loads, see table of rates.		
Car-wheels and axles, car loads.....	Class C	Coal, hard, in quantities of 5 cars or upward	Class C	
Carts in pieces	1	Coke, car loads	Class C	
Casks, large, empty.....	1½	Coke, 5 cars or upward, soft coal rates.		
Cassia	1	Coal-tar, in car loads	Class C	
Cast iron grain-mills.....	2	Coal-tar, less than car load	4	
Castor oil, in glass.....	1	Coal-oil, in wood.....	2	
Castor oil, in wood.....	3	Coal-oil, 50 bbls. or more	4	
Caldron-kettles	2	Cob-mills	2	
Cedar posts, less than car loads, same as lumber.		Cocoa.....	2	
Cedar posts, car loads, same as lumber.		Cocoanuts, in boxes, bbls, or casks	2	
Cement, less than 25 bbls...	4	Cocoanuts, in bags.....	1	
Cement, 25 bbls. or more, see table of rates.		Cocoa matting	1	
Chain, in casks	4	Codfish, in casks or boxes..	4	
Chain, loose, except cable..	2	Codfish, in bundles	3	
Chain, loose, cable	4	Coffee, ground	3	
Chain-pumps and fixtures..	1	Coffee, in sacks	4	
Chair stuff, in rough	2	Coffee essence or extract, in boxes.....	2	
Chair stuff in rough, car loads	Class A	Coffee-mills, boxed.....	2	
Chairs, finished, three times first class.		Coffins, metallic or wood	1	
Chairs, set up.....	D 1	Collars, horse	1	
Chairs, wooden, knocked down in bundles.....	1	Composition for roofing	4	
Chalk	4	Composition for roofing, car loads	Class B	
Charcoal.....	1	Concentrated lye.....	3	
Charcoal, car loads.....	Class C	Condensed milk, coffee, and meats.....	1	
Cheese, in boxes or casks ..	2	Condensed milk, coffee, and meats, 100 boxes or more	3	
Cheese, 50 pks. or over.....	3	Confectionery	1	
Cheese, in car loads.....	4	Cooperage, car loads.....	Class B	
Cheese, loose	D 1	Copper vessels	2	
		Copperas	1	
		Copper bottoms.....	2	

Classification
of freights—
continued.

Copper plates, sheets, bolts, pig, wire, nails, and rods..	2	Earthen and stone ware.....	1
Copying-presses	1	Earthen and stone ware, in car loads.....	Class A
Cordage, in bundles.....	1	Eaves-troughs, wooden.....	2
Corks.....	1	Earth paints.....	4
Corn-husks—same as hay.		Eggs in baskets and boxes.	1
Corn-planters—see agri- cultural implements.		Eggs, packed.....	2
Corn meal—see flour.....		Eggs, car loads.....	4
Corn-shellers	1	Egg cases, car loads.....	Class A
Corn stalk cutters.....	1	Less quantities.....	1
Cotton waste.....	1	Emery.....	2
Cotton, in bales	1	Engines, steam, set up.....	1
Cotton goods, domestic.....	1	Epsom salts.....	2
Covers and sieves.....	1	Evaporators	D 1
Crackers, in bbls or boxes..	1	Extracts not otherwise enu- merated	1
Crackers, 10 bbls or more....	3	Excelsior, in bales.....	2
Crackers, 50 bbls or more....	4	Excelsior, car loads.....	4
Cranberries.....	2		
Cranberries, car load.....	4	Fans, palm-leaf.....	1
Cream tartar.....	2	Facing, iron, coal, or stove...	3
Crockery, in bbls or boxes..	2	Fanning mills—see ag'l im- plements.	
Crockery, in crates or hhds	4	Farina.....	2
Croquet sets in boxes.....	1	Feathers, in bags.....	D 1
Crowbars.....	4	Felt, for roofing.....	4
Crucibles.....	1	Felt, for roofing, car loads...	Class A
Cultivators, see agr'l impl'ts		Felloes, sawed rough.....	2
Currants, dried—see dried fruit.		Felloes, wagon, car loads....	Class A
Currants, not dried.....	1	Figs, in boxes or cases.....	2
Cutlery.....	1	Figs, in drums.....	1
Dates.....	1	Firearms.....	1
Deck or vault lights.....	3	Fire-clay, in boxes, barrels, or casks.....	4
Deer skins, pressed, in bales	1	Fire-clay, car loads.....	Class C
Deer skins, in bundles.....	D 1	Fire crackers and fireworks	D 1
Demijohns.....	D 1	Fish, dried, pickled, or salted, except herrings.....	4
Ditching machine.....	1	Fish, fresh.....	1
Domestic sheeting, shirting, ticking, and denims, in original bales.....	1	Fish, fresh, car loads.....	4
Door and window frames, small lots.....	1	Fishing rods.....	D 1
Door and window frames, car loads.....	Class A	Flat irons, in boxes or bbls.	4
Doors.....	2	Flax.....	1
Doors, car loads.....	Class A	Flax, 1,400 pounds or over...	4
Dried fruit.....	2	Flaxseed, 18,000 pounds or over, same as wheat.	
Drain-tile.....	2	Flaxseed, less than 18,000 pounds	4
Drain-tile, in car loads.....	Class B	Flour, 100 pounds or over— see table of rates.	
Drag-teeth, in bbls. or boxes	4	Flour, 50 bbls and less than 100 bbls, 10 per cent. more than table of rates for 100 barrels.	
Druggists' stock.....	1	Flour, less than 50 bbls.....	4
Drugs and medicines.....	1	Flour in sacks, 2,000 lbs and over.....	3
Dry goods, in boxes or bales	1	Flour in sacks, car loads, 20,- 000 lbs., same as barrels.	
Dry goods, in trunks.....	1½	Flour in sacks, less than 2,- 000 lbs.....	2
Duck.....	1	Forks, hay and manure.....	2
Dyestuffs, not otherwise spe- cified	2		
Dye-woods.....	2		
Earth closets.....	2		
Earthen and stone ware, in crates or hhds.....	4		

Fork handles.....	2	Grapes in kegs or boxes....	1	Classification of freights— continued.
Fowls, alive, in crates and coops.....	D 1	Grass seed, except clover...	4	
Fowls, alive, in crates and coops, car loads.....	Class A	Grass seed, except clover, in car loads, same as wheat.		
Fruits, dried.....	2	Grease, same as lard.		
Fruits, canned.....	2	Grate castings—see stoves.		
Fruits, canned, 100 boxes or more.....	3	Gravestones	1	
Fruits, green, of all kinds..	1	Grindstones	4	
Furniture, school.....	1	Grindstones, car load	Class B	
Furniture, set up.....	D 1	Groceries assorted, not oth- erwise specified.....	2	
Furniture in car loads.....	Class A	Guano.....	3	
Knocked down or unfin- ished	1	Gun copal	2	
Set up and boxed	D 1	Gum, camphor and chewing	1	
Furs.....	D 1	Gum shellac in original pkgs	2	
Fuse, safety and other.....	D 1	Gunny bags in bales	4	
		Gunpowder—see powder.		
		Gutta percha goods.....	1	
Galvanized iron cornice, etc	D 1	Hair in sacks	1	
Galvanized iron cornice, car load	Class A	Hair, pressed, in bales or rope.....	2	
Gambia.....	3	Hair, pressed, in car loads..	4	
Game	1	Hams and shoulders, loose..	2	
Garden seeds	1	Hams and shoulders loose, in car loads	4	
Garden seeds, car load.....	4	Hams and shoulders, packed	4	
Garden roots—see potatoes.		Handles of wood, ax, broom, pick, and fork, car loads	Class A	
Gas fixtures, bxs., bbls. or cks.....	1	Harness	1	
Gas pipe.....	4	Hardware, not otherwise specified.....	2	
Gas retorts, iron	4	Harrows.....	1½	
Gas retorts, clay.....	2	Harrow teeth.....	2	
Gas meters	D 1	Harrow teeth, in bbls. and bxs.	4	
Ginseng	1	Hats in boxes, strapped....	1	
Ginger	2	Hats, in bxs., not strapped	1½	
Glassware	1	Hats in trunks	1½	
Glass—see window glass.		Hay presses, knocked down	1	
Glass, broken scraps, boxes, bbls., or casks.....	4	Hay presses set up, car load	Class A	
Glue	2	Hay, pressed, in car loads ..	Class C	
GOVERNMENT SUPPLIES.				
Ammunition, fixed.....	3	Hay, pressed, less than car load	1	
Ordnance stores.....	2	Hay cutters	1½	
Quartermaster's stores not otherwise specified.....	2	Hay knives	1	
Cannon on wheels	Class A	Hedge plants	1	
Subsistence stores not other- wise specified	3	Hemp machines	2	
Tents and poles, picket and tent pins.....	2	Hemp	1	
Grain in lots of 18,000 lbs. and over, see table of rates.		Hemp, car loads, 14,000 lbs.	4	
Grain in lots of less than 18,000 lbs., provided the amount does not exceed charges on 18,000 lbs.....	4	Herrings in boxes or kegs..	2	
Grain cradles—see agricul- tural implements.		Hides, dry, loose.....	1	
		Hides, pressed, in bales	2	
		Hides, car loads, loose or in bales	Class A	
		Hides, green, 1,000 lbs. or more	3	
		Hides, green, under 1,000 lbs	2	
		Hides, green, car load.....	4	

Classification of freights—continued.	Highwines	2	Iron, nuts and rivets.....	4
	Highwines, 20 bbls. or more	4	Iron ore.....	4
	Hinges and hooks	2	Iron ore, car loads.....	Class C
	Hobby horses.....	D 1	Iron pipe, gas and water.....	4
	Hobby horses, knocked down and boxed.....	1	Iron railing.....	2
	Hoes	2	Iron roofing, in boxes.....	4
	Hogs, dressed.....	2	Iron safes.....	2
	In car loads, 18,000 lbs.....	4	Iron, scrap, in car loads, bulk, or bbls.....	Class C
	Hogsheads.....	1½	Iron scrap, in bbls, or boxes, less than car load.....	4
	Hollow ware.....	1	Iron shutters.....	3
	Hominy	2	Iron water wheel.....	2
	Honey	1	Isinglass.....	1
	Hoop[s], shaved, car loads, not exceeding 10 tons.....	Class B	Ivory and ivory black.....	1
	Less than car load.....	4	Jack screws.....	3
	Hoop poles, car load, not to exceed 10 tons.....	Class C	Japanned ware.....	1
	Less than car load.....	4	Joiners' work, not otherwise specified	1
	Hoops and hoop poles loaded together, car load.....	Class B	Junk and jute.....	3
	Hoofs and horns.....	2	Kerosene, in wood (see coal oil).....	
	Hoofs and horns, car load.....	Class C	Kerosene, in tin, boxed.....	1
	Hops	2	Kitchen safes, set up.....	D 1
	Horse rakes knocked down	1	Kitchen safes, knocked down, in bbls.....	1
	Horseshoes.....	4	Knitting machines.....	1½
	Horse collars.....	1	Kraut.....	4
	Hose, leather, rubber, canvas, or other	2	Kraut, car loads.....	Class C
	Household goods, well b'x'd	1	Ladders.....	D 1
	Hubs, wagon, car loads.....	Class A	Lampblack.....	1
	Husks, corn, in bales, car loads.....	Class C	Lamps well packed.....	1
	Husks, less than car loads..	1	Lanterns.....	1
	Ice.....	1	Lard in boxes or bbls.....	4
	Ice, car loads.....	Class C	Lard, in stoneware.....	2
	India rubber goods, not otherwise specified.....	1	Lard tanks.....	D 1
	Indigo.....	1	Lath—see lumber.	
	Ink, in glass or stone.....	1	Lasts.....	2
	Ink, printing or other, in wood	2	Lead pig.....	4
	Iron, bar, band or boiler....	4	Lead pig, car loads.....	Class C
	Iron bolts and washers.....	4	Lead in bar, pipe, or sheet.	2
	Iron nuts, bolts and washers, car loads.....	Class A	Lead in bar, pipe, or sheet, in casks	4
	Iron axles, wagon, car loads.....	Class A	Leather, except loose.....	2
	Iron castings, in boxes or casks	4	Leather, loose.....	1
	Iron castings, not otherwise specified:		Lemons and oranges.....	1
	Light and loose.....	1	Licorice.....	2
	Heavy and plain.....	4	Lightning rods in bundles..	3
	Heavy and plain, car loads	Class C	Lime, in car loads.....	Class C
	Iron facings.....	3	Lime, less than car loads....	4
	Iron, hoop or sheet, except Russia	4	Liquor or liquids, in glass...	1
	Iron, Russia.....	2	Liquors, in wood.....	1
	Iron, galvanized, except cornice	2	Liquids, in cans or jugs, packed in kegs or boxes.	1
			Litharge.....	1
			Live stock, in car loads—see table of rates.	
			Less than car loads, one horse, mule, or horned	

animal	D 1	Melons, car loads.....	Class A	Classification of freights— continued.
Two animals.....	1½	Millstones.....	3	
Three or more animals, not to exceed car load rate for cattle.....	1	Mill stuffs, car loads—see table of rates		
Stallions or jacks.....	D 1	Mill stuffs, in bags, less than car load.....	4	
Less than car load, calves, sheep, not to exceed car load rates for sheep.....	1½	Mills, grain and cane, cob and bark.....	2	
Hogs, less than car load, actual weight, not to exceed car load rates for cattle.....	1½	Mills, portable (burr stone)	2	
Locomotive tire	4	Millinery goods.....	1	
Logwood extract.....	1	Mineral water.....	1	
Looking-glasses, boxed.....	D 1	Molasses.....	4	
Lounges.....	D 1	Moss, in sacks.....	1	
Lounge frames, in rough...	1	Moss, pressed, in bales.....	2	
Looms	D 1	Mon handles and sticks....	2	
Lumber, car load—see table of rates.		Moldings and picture frames, boxed.....	1½	
Saw logs, same as lumber.		Moldings and picture frames, not boxed.....	D 1	
Lumber, less than car load, but not exceeding car rate	3	Moldings, common building	2	
Maccaroni.....	1	Moldings, car loads.....	Class A	
Machinery, car loads, not otherwise specified.....	Class A	Musical instruments, not otherwise specified.....	D 1	
Machinery, in frame.....	1½	Mustard.....	2	
Machinery not set up.....	1	Mustard seed.....	2	
Machinery, less than car load, boxed.....	2	Muskets.....	1	
Madder	2	Nails and ticks [tacks] in boxes	3	
Malt	4	Nails, spikes, in kegs.....	4	
Malt in car loads—same as wheat.		Nails, spikes, in car loads..	Class B	
Manilla	3	Nails, in bags.....	2	
Marble in blocks and slabs, rough	4	Nail rods.....	4	
Marble, wrought and let- tered	1	Naphtha	1	
Marble, blocks or slabs, car loads.....	Class A	Neck-yokes, turned and finished.....	2	
Marble dust.....	4	Nuts, edibles, in boxes or casks.....	2	
Marbles, in bxs., bbls. or casks	4	Nuts, in sacks	1	
Master wheels.....	2	Nuts and washers, iron....	4	
Matches.....	1	Nutmegs	1	
Mats and rugs.....	1	Oakum, in bales	2	
Matting	1	Ocher, earth paints.....	4	
Mattresses.....	D 1	Oars	1	
Mattresses, woven wire.....	1	Oat-meal	2	
Meal—same as flour.		Oil-cake.....	4	
Measures, tubs, and pails...	1	Oil-cake, car loads same as wheat.		
Meats, fresh	1	Oil-cloth	2	
Meats, salted or dried, in bags	2	Oil, lard, whale, linseed, and castor, in wood	3	
Meats, salted or dried, in boxes, bbls., or casks.....	4	Oil, other than coal oil, in car loads	4	
Medicines.....	1	Oil, coal, car loads.....	Class B	
Melodeons, boxed.....	1	Oil, in glass	1	
Melons	1	Oil, in wood jacket cans....	1	
		Onions, in sacks or bbls....	3	
		Onions, in car loads, same as potatoes.		
		Oranges and lemons.....	1	
		Organs—see cabinet organs.		

Classification
of freight—
continued.

Ordnance stores—see gov-
ernment supplies.

Osage orange seed..... 1

Osage orange plants, less
than car load..... 1

Osage plants, in car loads.. Class A

Oxbows and yokes..... 2

Oysters and clams, in shell 1

Oysters and clams, in cans
fresh 1

Packing rubber..... 2

Pails 1

Paintings & pictures, boxed D 1

Paints, in boxes and cans,
not otherwise specified... 2

Paints, white lead and zinc,
dry or in oil, in cans or
kegs 4

Paints in bbls 4

Palm leaves, in bales..... 1

Paper hangings in boxes... 2

Paper hangings not boxed.. 1

Paper in boxes 1

Paper, printing and wrap-
ping 2

Paper, printing and wrap-
ping, in car loads..... Class A

Paris white, in bbls,—see
plaster.

Pasteboard 2

Patent medicines..... 1

Patterns..... 1½

Peaches, dried..... 2

Peaches, dried, 50 bbls..... 4

Peaches, green..... 1

Pearlash 4

Peas in casks, dried..... 3

Peas, green..... 1

Pelts and peltries, other
than sheep..... 1

Pepper sauce..... 1

Pepper..... 2

Percussion caps..... 1

Phosphate of lime, in bbls.
or boxes..... 4

Pianos 1

Pickets, wood, same as lum-
ber.

Pickles, in casks..... 3

Pickles, in casks, car load... 4

Pickles, in glass..... 1

Pickles, 100 boxes or over.. 2

Picture frames—see mold-
ings.

Pigs' feet, pickled..... 3

Pigs' feet, car loads..... Class—

Pineapples 1

Pipes, smoking..... 2

Pitch..... 4

Plaster, 25 bbls or more, see
table of rates.

Plaster, less than 25 bbls... 4

Plaster of paris 4

Plaster of paris ornaments D 1

Plate glass..... D 1

Plow steel..... 2

Plows—see agricultural im-
plements.

Plow castings..... 4

Plow beams and handles,
wood..... 3

Plow beams, iron 4

Plumbago 4

Plumber's materials..... 2

Pop corn, on ear, in bbls or
boxes 3

Porcelain ware 1

Porter and ale, in glass,
packed..... 1

Pork, packed 4

Posts—same as lumber.

Potash 4

Potatoes in sacks or bbls.,
less than car loads..... 4

Potatoes in car loads—same
as wheat.

Potatoes, sweet..... 1

Potatoes, sweet, 50 bbls. or
over 4

Poultry, dressed..... 1

Poultry, alive, in coops..... D 1

Poultry, car loads..... Class A

Powder D 1

Powder, 10,000 lbs. or over 1

Preserves, in glass or cans.. 1

Preserves, 100 boxes or more 2

Printing presses 1

Prunes, in casks or boxes... 2

Pumice stones..... 3

Pumps, iron..... 1

Pumps, wooden..... 2

Pumps in car loads..... Class A

Pump tubing, wood..... 2

Pump tubing, wood, in car
loads..... Class A

Putty 3

Quicksilver, in iron flasks.. 1

Quinces 1

Quartermaster's stores—see
government supplies.

Rags, in sacks 1

Rags, pressed in bales..... 3

Rags, in bales, car loads.... 4

Raisins, not strapped 1

Raisins, strapped 2

Raisins, strapped, car loads 4

Rakes..... 1

Rattan 1

Refrigerators 1

Refrigerators, car loads..... Class A

		Classification of freights— continued.	
Resin.....	4	Seed drills, see agricultural implements.	
Retorts, clay.....	2	Seeds not otherwise speci- fied	2
Retorts iron.....	4	Sewing machines, knocked down, boxed	1
Rice in bags.....	2	Sewing machines, set up boxed	1½
Rice in tierces and barrels..	4	Sheep pelts, dry.....	1
Rigging.....	4	Sheep pelts, green, 1000 lbs. or over.....	3
Rivets, brass and copper....	2	Sheep pel's, green less than 1000 lbs.....	2
Rivets, iron.....	3	Shellac	2
Road scrapers.....	1	Shingle and stave bolts, in car loads same as lumber.	
Roofing paper.....	4	Shingle and stave bolts less than car loads.....	4
Roofing paper, car loads.....	Class A	Shingles, see lumber.	
Roofs.....	1	Shingle machines.....	1
Rope, in coils.....	4	Shipstuff, same as mill feed.	
Rubber car springs.....	2	Shoe blacking	3
Rubber packing, hose, and belting	2	Shoe findings	1
Rugs and mats.....	1	Shoe pegs.....	1
Sacks, rag or wool.....	2	Shoe nails in boxes.....	2
Saddlery hardware.....	2	Shorts, same as mill stuffs.	
Saddles.....	1	Shovels and spades	2
Saddle trees.....	1	Shot, in kegs, boxes or gun- nies.....	4
Sad irons in boxes or bbls..	4	Shot in bags.....	1
Safes, milk, meat, or bread..	D 1	Showcases.....	D 1
Safes, iron.....	2	Sieves	1
Sago.....	1	Sizing	1
Saleratus.....	4	Skins not otherwise speci- fied, in bales.....	1
Salt, in sacks or boxes.....	4	Slate, school, boxed.....	2
Salt, less than 25 bbls.....	4	Slate, roofing.....	4
Salt, 25 bbls. or over—see table of rates		Slate, roofing, in car loads..	Class B
Salt, car loads, 70 bbls.....	Class C	Sleighs, boxed.....	D 1
Salts, Epsom and Glauber...	1	Sleighs not boxed, see car- riages.	
Saltpe'er.....	4	Sleighs and sleds, childrens'	D 1
Sand, car loads.....	Class C	Sleigh shoes	2
Sand, less than car loads (not to exceed car load rates).....	4	Smut machines	1
Sand paper.....	2	Snuff.....	1
Sardines.....	2	Soap, common	4
Sash, window.....	1	Soap, common, car loads.....	Class A
Sash, glazed.....	1	Soap, fancy	2
Sash, doors, blinds, window and door frames, in car loads	Class A	Soap stone, slabs, boxed	4
Sash weights, iron.....	3	Soap stone dust, boxed.....	4
Saurkraut.....	4	Soda.....	4
Saws.....	Class C	Soda ash.....	4
Sawdust, car loads.....	Class C	Soda ash, car loads.....	Class C
Saw logs—see lumber.		Soda fountains	D 1
Scales and scale beams, boxed	2	Sodawater in glass, packed	1
Scales and scale beams, not boxed	D 1	Sofas same as lounges.	
Scales and scale beams, in car loads.....	Class A	Solder	2
School slates, boxed.....	2	Sorghum sugar mills	4
Screws, iron	2	Sorghum syrup	4
Screws, wood	1	Spades.....	2
Scythes.....	2	Spelter	2
cythe snaths.....	1	Spelter, car loads.....	4
cythe stones.....	3		

Classification
of freights—
continued.

Spices	2	Terra cotta ornaments.....	1
Spinning wheels.....	D 1	Terra cotta ornaments, car	
Spoke drivers.....	1½	loads	4
Spokes, wagon, car loads ...	Class A	Terra Japonica.....	3
Sponges	D 1	Telegraph poles.....	Class
Spring bed frames	D 1	Thread.....	1
Stained glass	D 1	Tents and fixtures.....	1
Stalk cutters.....	1	Tete-a-tetes—see lounges.	
Staples in kegs.....	4	Threshing machines—see	
Staves and heading less than		agricultural implements.	
car loads	4	Tile, drain.....	2
Staves and heading in car		Tile, drain, in car loads.....	Class B
loads	Class B	Tin foil.....	1
Stationery.....	2	Tin plate.....	4
Starch	3	Tinware boxed	1
Starch car loads	4	Tin cans, in wooden jackets	1
Steam boilers—see boilers.		Tinware, loose	D 1
Steam fire engines	Class A	Tire shrinkers.....	1
Single machine, half car rate.		Tobacco, cut in bbls or boxes	1
Steel	2	Tobacco, cut, in pails.....	D 1
Steel springs, car.....	2	Tobacco, cut in pails, strap-	
Steel plow wings.....	2	ped with iron or in boxes.	1
Still, copper or iron	1	Tobacco, plug, in caddies,	
Straw goods.....	1	three or more strapped	
Stone in block dressed in car		together	3
loads	Class C	Tobacco, in caddies, not	
Stone, less than car load		strapped	1
(not to exceed car load		Tobacco, unmanufactured,	
rates).....	4	in hhds, boxes, or bales...	4
Stone less than 18,000 lbs...	4	Tow.....	1
Stone, rough.....	Class C	Tow, car loads.....	4
Stoneware, car loads.....	Class A	Tool chests.....	1
Stoneware, less quantities,		Toys, boxed.....	D 1
see earthenware.		Traveling bags.....	1
Stove blacking and polish..	2	Trays.....	1
Stovepipe	1½	Trees and shrubbery, in car	
Stoveplate.....	D 1	loads	Class A
Stoves	1½	Trees and shrubbery, in	
Stoves and stove fixtures,		bales	D 1
car loads.....	Class A	Trees and shrubbery, in	
Stoves and stove furniture,		boxes	1
10,000 lbs. or over.....	4	Tripe.....	2
Stucco, same as plaster.		Trunks, empty.....	D 1
Straw, dressed, in bales,		Tubs, in nests.....	1
same as hay.		Tubs, not in nests.....	D 1
Subsistence stores, see gov-		Turned stuff.....	2
ernment supplies.		Turnips—same as potatoes.	
Sugar, except maple.....	4	Turpentine, spirits.....	1
Sugar in bags.....	2	Turpentine, spirits, car	
Sugar, maple.....	2	loads	4
Sugar evaporators.....	D 1	Twine, in bales.....	1
Sugar kettles.....	2	Type	2
Sumac	3	Type cases.....	1
Sulphur in boxes, bbls, and		Umbrellas, boxed.....	1
kegs.....	2	Valises.....	D 1
Syrup.....	4	Varnish.....	1
Tallow.....	3	Varnish, black.....	4
Tallow, car loads.....	4	Vegetables, not otherwise	
Tar, except coal.....	4	specified.....	1
Tea.....	1	Veal.....	1
Teasels.....	D 1		

Venison.....	1	Window frames.....	1	Classification of freights— concluded.
Veneering, boxed.....	2	Window frames, car loads...Class A	2	
Veneering, not boxed.....	1	Window glass.....	2	
Vermicelli.....	1	Window glass, car loads.....		
Vices.....	2	Windmills, in pieces.....	1	
Vinegar.....	3	Wine, in baskets or boxes..	1	
Vinegar, in car loads.....Class A		Wine, in bbls, see liquor, in		
Vitriol, oil of.....	D 1	wood.		
Wadding.....	D 1	Wire cloth.....	1	
Wagon axles, iron.....	3	Wire rope.....	3	
Wagon felloes, bows, spokes, and hubs.....	2	Wire, not otherwise speci- fied.....	2	
Wagon felloes, bows, spokes and hubs, in car loads.....Class A		Wire, fence and telegraph..	4	
Wagons, common, car loadsClass A		Wood, fuel, in car loads.....Class D		
Wagons on wheels—see car- riages.		Wood, in shape, unfinished	2	
Wagons, common, in pieces	1	Wood, in shape, car loads...Class A		
Wagons, children's.....	D 1	Wooden handles, see han- dles of wood.		
Wagons, children's, knock- ed down and boxed.....	1	Wooden ware.....	1	
Wagon skeins and boxes....	2	Wooden ware, boxed.....	2	
Wagon skeins and boxes, in car loads.....Class A		Wooden ware, car loadsClass A		
Warps and beams.....	1	Woods of value, viz., ma- hogany, rosewood, lignum vitæ, cherry, cedar, wal- nut, etc.....	3	
Washing machines.....	1½	In car loads.....Class B		
Washing machines, car loads.....Class A		Woolen goods	1	
Washboards.....	2	Wool.....	1	
Washboards, zinc lined, 25 dozen or over.	3	Wringing machines, boxed	1	
Water lime, same as cement.		Wringing machines not boxed	D 1	
Wax.....	2	Yarn, pressed, in bales	1	
Weights, metal not o her- wise specified.....	2	Yeast.....	1	
Whalebone.....	1	Zinc paint, see paint.		
Wheelbarrows.....	D 1	Zinc sheet, in casks	4	
Wheelbarrows, knocked down.....	1	Zinc sheet, in car loads.....Class A		
Whips.....	1	Zinc sheet or roll, not packed	2	
Whisky.....	1	Zinc, pigs or slabs.....	2	
Whisky, 20 bbls or more....	3			
White lead—see paints.		Freight will be billed at the actual weight, unless otherwise directed in the classification; 20,000 pounds will be considered a car load, except in cases of light and bulky articles, <i>where</i> [when] the car load shall be limited by the capacity of the car.		
Whiting.....	4			
Wicking.....	D 1			
Willow cuttings, in boxes...	2			
Willow cuttings, in bales....	1			
Willow reeds.....	2			
Willow ware.....	D 1			

SEC. 6. Every railroad corporation doing business in this state, shall prepare and keep posted in each of its freight and passenger offices, a copy of the foregoing classification of freights, together with a true copy of the schedules of rates of freight and passenger tariffs under which said road may be brought by the foregoing classification.

Corporations
to post classi-
fication and
schedule.

SEC. 7. It shall be the duty of each railroad corporation operating a railroad in this state during the month of January, 1875, and each and every year thereafter, to make and return to the

To make
annual state-
ment of re-
ceipts to
Governor.

governor a statement of its gross receipts on its entire road within this state for the year preceding and ending with the 31st day of December. Said statement shall be sworn to by the president and superintendent of the road in this state, and shall contain a detailed statement of the entire receipts for transporting freight and passengers, and all other sources of income of the road. A failure to comply with the provisions of this section shall subject the corporation so failing, to a penalty of one hundred dollars per day, for each and every day after such report is due until it is made; to be recovered in an action in the name of the state of Iowa, for the benefit of the school-fund. If the executive council shall, on examination, be satisfied of the correctness of said return, it shall be their duty to classify the different railroads in this state as hereinbefore provided, and the governor, when there shall be any change in classification, shall issue a certificate to any corporation or corporations affected by such change, certifying to them the class to which they are respectively assigned. And any change of rates made by any railroad corporation pursuant to any change of classification, shall take effect and be in force from and after the 4th day of July following such changes. The reports from the railroad corporations of this state for the year 1873, made pursuant to the provisions of section 1280 of the code, shall determine the classification of each road for the year ending July 3d, 1875.

SEC. 8. Where any prosecution or action for the violation of any of the provisions of this act in relation to the transportation of passengers or freight, shall be commenced, it shall be the duty of the governor when notified thereof, and requested by the person or persons commencing the prosecution or action, supported by a recommendation of at least twenty tax-payers of the county where the violation occurred, to employ suitable counsel, if he deem it necessary, to conduct or assist in conducting the same; and the sum of ten thousand dollars, or so much thereof as may be necessary, is hereby appropriated out of any money in the treasury, for compensation for such counsel, and to pay any incidental expenses necessary to carry on said prosecution or action. Such compensation and incidental expenses shall be audited and allowed by the auditor of state on the certificate of the executive council, that services were actually performed, and such incidental expenses necessary, and that the sums in such certificates were reasonable for the service rendered. And when thus certified and allowed, it shall be paid by the treasurer of state out of said appropriation, less whatever amount may be allowed by the court or courts and included in the judgment as attorney's fees.

SEC. 9. All connecting railroads in this State, operated or controlled by the same person or company, under lease or otherwise, shall for the purposes of this act, in computing distances and determining rates and classes of roads, be regarded as one road.

SEC. 10. No railroad company shall charge any person, company, or corporation for the transportation of any property a greater sum than it shall at the same time charge and collect from

How verified.
Penalty for failure to comply.
Executive Council to classify.
Governor to certify classification.
Rates to take effect when.
Classification for first year Code; § 1280.
Duty of the Governor in prosecutions under this act.

\$10,000, appropriated for counsel, &c.

Audit.

Allowance by court.

Roads operated by same company one road.

No discrimination between individuals.

any other person, company, or corporation for a like service, from same place and upon like conditions, and all concessions of rates, drawbacks, and contracts for special rates founded upon the demands of commerce and transportation shall be open to all persons, companies, and corporations alike.

SEC. 11. Any officer, agent, or employee of any railroad company, person, or corporation, operating a line of railroad within this state, who shall violate or be a party to the violation of any of the provisions of this act, or instrumental therein, shall be guilty of a misdemeanor, and shall, on conviction thereof, be punished for every such offense by fine not less than twenty dollars, nor more than one hundred dollars, or by imprisonment not less than five nor more than thirty days; or any such person, corporation, or railroad company as aforesaid, who shall authorize, direct, cause, permit, or allow any violation of the provisions of this act by any officer, agent, or employee, such railroad company, person, or corporation shall forfeit and pay to the person injured five times the amount, compensation, or charge illegally taken or demanded, or five times the amount of damage caused as the case may be, to be recovered with a reasonable attorney's fee by such person in a civil action in any court or before a justice of the peace, as the case may be, of this state; and if an appeal be taken from the judgment or any part thereof, it shall be the duty of the appellate court to include in the judgment an additional reasonable attorney's fee for services in the appellate court or courts; and for every such violation such railroad company, person, or corporation shall forfeit and pay to the state of Iowa, for the use of the school-fund, the sum of five hundred dollars, to be recovered in any civil action in the name of the state; and it is hereby made the duty of the attorney-general of the state and of the several district-attorneys within their respective districts to sue for and recover all sums forfeited as aforesaid.

SEC. 12. The terms "railroad corporation" and "railroad company," contained in this act, shall be deemed and taken to mean all corporations, companies, or individuals now owning, or which may hereafter own or operate any railroad, in whole or in part, in this State; and the provisions of this act shall apply to all persons, firms, and companies, and to all associations of persons, whether incorporated or otherwise, that shall do business as common carriers upon any of the lines of railways in this state (express companies and street railways excepted) the same as to railroad corporations hereinbefore mentioned.

SEC. 13. All acts or parts of acts inconsistent with this act are hereby repealed.

Approved March 23d, 1874.

Violation by agent of company a misdemeanor.

Damages for causing or permitting violation.

Allowance on appeal.

Penalty for causing or permitting violation.

Duty of attorney-general and district-attorneys.

Meaning of terms used.

Application of act.

Repealing clause.

CHAPTER 69.

IN RELATION TO GAME.

AN ACT to Repeal Section 4048, Title 24, Chapter 11, of the Code, and to Enact a Substitute in Lieu thereof.

Code: § 4048
repealed.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That section 4048, title 24, chapter 11, of the code be repealed, and the following enacted in lieu thereof:

New section.
Killing of
game at cer-
tain seasons
prohibited.

Prairie
chickens.
Woodcock.
Ruffed grouse
or pheasant.
Wild turkey.

Quail.

Buying, sell-
ing, or ship-
ping.

Penalty.

Deer and elk.

Beaver, &c.

Buying or sell-
ing same.

Fine.

What lawful.

Sec. 4048. If any person, elsewhere than on his own premises, shoot or kill any prairie hen or chicken, between the first day of December and the fifteenth of August next following, for the purpose of shipping the same to any point within or without the state for the purpose of selling the same for profit; or if any person ensnare, trap, or kill any woodcock between the first day of January and July in any year, or ruffed grouse or pheasant, between the 15th day of December and the 12th day of September, or any wild turkey, between the first day of February and the first day of September in any year; or if any person, anywhere or at any time of the year, shoot, kill, ensnare, or trap any quail, except that it shall be lawful for any person to shoot quails upon any inclosed or improved premises, with the consent of the owner or occupant thereof, between the first day of October and the first day of January; or if any person buy, sell, or ship any of the above birds of game, which have been trapped, ensnared, or killed, contrary to the provisions of this section, he shall be punished by a fine of \$5.00 for each bird of any kind of game above mentioned thus killed, trapped, ensnared, bought, sold, or held in possession; or if any person kill, ensnare, or entrap any wild deer, elk, or fawn, between the first day of January and the first day of September in any year; or if any person kill, ensnare, or trap any beaver, mink, otter, or muskrat, between the first day of April and the first day of November of any year; or if any person buy or sell any of the above animals ensnared, killed, or trapped contrary to the provisions of this section, he shall be punished by a fine of ten dollars for each kind of animals above mentioned thus killed, trapped, ensnared, bought, sold, or held in possession: but it shall be lawful for any person living within this State to ship to any person living within or without this State prairie hens or chickens, or other game-birds described in this act, not to exceed one dozen in any one day, provided he shall first make an affidavit before some person authorized to administer oaths that he is a resident of the State of Iowa; that said game-birds are not being shipped for sale or profit; giving the name of any person to whom shipped and his postoffice address; the number of birds shipped, and a true copy of such affidavit to be signed by the person taking the affidavit, on which shall be indorsed the words "A true copy of the original," which copy shall be given to the common carrier or railroad agent, which copy shall be prima facie evidence to the agent or carrier of its genuineness, and shall

release such carrier or agent from any liability in said shipment or carrying of said game, and the original affidavit shall be retained by the person taking the same, and shall be used as evidence in any trial to which said affidavit belongs; and if any person ensnare or trap any prairie hen or chicken, quail, or any other game-birds mentioned in this act at any season of the year, or if any person shoot or in any manner kill or capture any of the above mentioned birds or animals contrary to the provisions of this section, he shall be liable to the penalties provided in section 4050 of the code of 1873.

Trapping
game birds.
Killing or
capturing
same.
Punishment.

Approved March 23d, 1874.

CHAPTER 70.

THE HERD LAW AMENDED.

AN ACT to Amend Chapter 3, Title XI. of the Code in relation to Domestic and other Animals.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That sections 1446, 1448, 1450, 1451, 1452, 1453, 1457, 1458, 1459, 1460, 1461, 1462, and 1463 of the code be and the same are hereby repealed, and the following enacted in lieu thereof, to-wit:

Code; title xi.,
ch. 3.

SEC. 2. Section 1446. Every owner of swine, sheep, or goats shall restrain the same from running at large.

Swine, sheep,
and goats re-
strained.

SEC. 3. Section 1448. When any person is injured in his lands, inclosed by a lawful fence, by any kind of domestic animal, he may recover his damages by an action against the owner, or by distraining the animals doing the damage; but if they were lawfully on the adjoining land, and escaped therefrom by reason of the neglect of the person suffering the damage to maintain his part of the division fence, the owner of the animals shall not be liable for such damage, and if the party injured elects to recover by action against the owner of the stock, no appraisalment need be made by the trustees as in cases of distraint; and in counties where by police regulation stock is restrained from running at large, any person injured in his improved or cultivated lands by any domestic animal may recover his damages as provided in section six of this act and sections 1454, 1455, and 1456 of the code, whether the lands whereon the injury was done was inclosed by a lawful fence or not.

Damages may
be recovered
for injuries
done by stock
in inclosures.

Owner not lia-
ble when.

Recovery
when stock is
restrained
from running
at large.
§§ 1454-1456.

SEC. 4. Section 1450. Section 309 of the code is hereby amended by striking out the word "now" in the fifth line thereof;

Code, § 309,
amended.

and the word "stock," as used therein and in this chapter, is hereby declared to mean cattle, horses, mules, and asses; and, under said section, the board of supervisors of each county may—and on petition of one-fourth of the legal voters thereof, as shown by the returns of the last general election, must—submit, in the manner provided by section 310 of the code, except as herein

Meaning of
"stock."

Board of su-
pervisors to
submit ques-
tion to popu-
lar vote.
§ 310.

modified, to the electors of the county at the next general election, or, if they deem it advisable, at a special election called for that purpose, the following questions of police regulation, or either of them, and no others, to-wit :

Questions
that may be
submitted.

First. Shall stock be restrained from running at large ?

Second. Shall stock be restrained from running at large between sunset and sunrise ?

Third. Shall stock be restrained from running at large from the first day of (naming the month) in each year, until the first day of (naming the month) following?

Fourth. Shall stock be restrained from running at large between sunset and sunrise from the first day of (naming the month) in each year, until the first day of (naming the month) following ?

Regulation in
force when.

Proviso: reg-
ulation
declared in
force in coun-
ties adopting
provisions of
herd law.

SEC. 5. Section 1451. If at such election a majority of the electors voting thereon, shall vote in favor of either of such regulations, then the same shall take effect and be in force at the end of thirty days after said election, and shall continue in force until the end of ninety days after an election at which, on a resubmission of the same question, a majority of the electors of the county voting thereon shall vote against the same: *Provided*, That where any county prior, to the taking effect of this act, shall have voted, on the submission of such question "for restraining "stock from running at large;" or "for restraining stock from "running at large between the hours of sunset and sunrise," as provided in chapter 3, title 11, of the code, or in the law or laws to which the same is amendatory, such vote is hereby declared to be legal and valid, and to amount to an adoption by the county of the police regulation so voted for, as the same is herein set out as fully and effectually as if the same was submitted and voted for under this act, except that the same shall be and remain in force in such county until the end of thirty days after the next general election and no longer unless readopted thereat.

Owner of
stock liable
for damage
where police
regulation is
adopted.

How recov-
ered.

Proviso:
when animals
shall not be
considered
running at
large.

SEC. 6. Section 1452. The owner of any stock or domestic animal, prohibited by law or police regulation of any country from running at large at any of the times hereinbefore mentioned, shall be liable for all damages done thereby while wrongfully remaining at large upon the public highway or upon the improved or cultivated lands of another, which may be recovered by action at law, or the party injured may, at his option, distrain the trespassing animals, and retain the same in some safe place, at the expense of the owner, until the damages are paid as provided in section[s] 1454, 1455, and 1456 of the code: *Provided*, That no stock or domestic animal, except the male animals mentioned in section 1447 of the code, shall be considered as running at large, so long as the same is upon unimproved or uncultivated lands, and under the immediate care and control of the owner, or upon the public highway under like care and control, for the purpose of travel or driving thereon.

Who to be
considered
owner.

SEC. 7. Section 1453. The word owner, as used in the preceding and in the three succeeding sections of this chapter of the code, shall include the person entitled to the present possession

of the animal, and also the person having the care or charge of the same, as well as the person having the legal title thereto.

SEC. 8. This act being deemed of immediate importance shall take effect immediately from and after its publication in The Iowa State Register, and the Iowa State Leader, newspapers published in Des Moines, Iowa, anything in the code notwithstanding.

Publication
clause.

Approved March 28th, 1874.

I hereby certify that the foregoing act was published at Des Moines, in *The Iowa Daily State Leader* March 31, and in *The Iowa Daily State Register* April 1, 1874.

JOSIAH T. YOUNG, Secretary of State.

CHAPTER 71.

AGRICULTURAL COLLEGE LANDS.

AN ACT to Regulate the Leasing of the Lands belonging to the Iowa State Agricultural College.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa:* The board of trustees of the Iowa state agricultural college and farm are hereby authorized to lease the land granted to the State of Iowa by an act of Congress entitled, "An act donating public lands to the several states and territories which may provide colleges for the benefit of agriculture and the mechanic arts," approved July 2d, 1862, in amount not exceeding one hundred and sixty acres to any one person, for a term not exceeding ten years, the lessee to pay eight per cent. per annum in advance upon the price of said land, which is hereby declared to be not less than fifty per cent. additional to the price at which each piece of said land, respectively, was appraised by the board of trustees in the year 1865; and the said lessee shall have the privilege of purchasing said land at the expiration of the lease at the price aforesaid. The lessee failing to pay the interest upon said lease, within sixty days from the time the same becomes due, shall forfeit his lease, together with the interest paid thereon, and the improvements made on said land.

Board of trustees may lease lands.

Lessee may purchase at expiration of lease.

Forfeiture of lease.

SEC. 2. The said board of trustees are also authorized to renew leases heretofore made, for a term not exceeding ten years from the date of such renewal, the rate of interest to be eight per cent., and when leases are so renewed the lands shall be subject to assessment for taxation at the end of ten years from the date of the original lease. The board of trustees shall cause to be certified to the auditors of the several counties, in which said lands are situated, a list of said land which may be subject to taxation as herein provided: *Provided*, That the releasing of this land shall be done by the secretary of the said college without extra compensation.

Board may renew lease at eight per cent. interest.

Same to be subject to taxation.

B'd to certify lists to co. auditors.

Secretary to do releasing.

Code : § 1616
repealed.

SEC. 3. Section 1616 of the Code of 1873, and all acts and parts of acts conflicting with the provisions of this act are hereby repealed.

Publication
clause.

SEC. 2. This act being deemed of immediate importance shall take effect and be in force from and after its publication in *The Iowa State Register* and *State Leader*, newspapers published in Des Moines.

Approved March 19th, 1874.

I hereby certify that the foregoing act was published at Des Moines, in *The Iowa Daily State Leader* March 26, and in *The Iowa Daily State Register* March 28, 1874.

JOSIAH T. YOUNG, Secretary of State.

CERTIFICATE.

STATE OF IOWA, }
OFFICE SECRETARY OF STATE, }

I, Josiah T. Young, Secretary of State of the State of Iowa, hereby certify that the Acts contained in this volume are "truly copied from the original rolls" on file in this office, and that the same are true copies, except that the words inclosed in brackets [thus] have been added where it was evident that there was an omission.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Great Seal of the State of Iowa.



Done at Des Moines, the Capital of the State, this 5th day of June,
A. D. 1874.

JOSIAH T. YOUNG,
Secretary of State.

FINANCIAL STATEMENT.

STATE OF IOWA, AUDITOR'S OFFICE, }
DES MOINES, May 1st, 1874. }

HON. JOSIAH T. YOUNG, *Secretary of State*:

SIR: In compliance with the provisions contained in Section 18, Article 3 of the Constitution of Iowa, I herewith furnish to you for publication with the laws of the Fifteenth General Assembly, a statement of the receipts and expenditures of the public money for the two fiscal years ending on the first day of November, 1873.

Yours truly,

JOHN RUSSELL, *Auditor of State*.

AUDITOR'S STATEMENT

OF

RECEIPTS AND DISBURSEMENTS OF THE PUBLIC MONEY,

FOR TWO YEARS, ENDING NOVEMBER 1, 1873.

OFFICE OF AUDITOR OF STATE, }
DES MOINES, IOWA, May 1st, 1874. }

The following is an accurate statement of the receipts and expenditures of the public money for the two years commencing on the 4th day of November, 1871, and ending on the 1st day of November, 1873, both days inclusive.

The balance remaining in the State Treasury at the close of the fiscal year November 4, 1871, as shown by my last report, was \$95,969.26.

There was received into the State Treasury during the past two fiscal years, from all sources, the sum of \$2,407,938.86, which added to the above amount on hand makes the sum of \$2,503,908.12; and the disbursements by the State Treasurer during the same period amounted to \$2,446,680.08, leaving in the State Treasury November 1, 1873, the sum of \$57,228.04.

This balance is distributed among the several funds as follows :

General Revenue.....	\$ 31,217.66
Coupon Fund.....	1,155.85
Swamp Land Fund.....	3,476.84
Des Moines River Land claims, (special fund)	61.88
Agricultural College Endowment Fund.....	11,382.13
Permanent School-Fund.....	9,835.68
Temporary School-Fund.....	98.00
Total.....	\$57,228.04

1st—GENERAL STATEMENT OF RECEIPTS AND DISBURSEMENTS. ;

RECEIPTS.

The receipts were derived from the following sources :

General Revenue—	
From State Tax Levy.....	\$1,595,010.81
From Interest on delinquent taxes.....	54,195.19.
From Insane dues from counties.....	226,250.12
From Peddlers' Licenses.....	382.66
From Sale of Laws and Revisions.....	765.58
From Railroad Taxes received in 1872.....	34,230.63
From Insurance Companies for taxes.....	76,721.23
From Insurance Companies for fees by Auditor.....	31,091.32
From Secretary of State for fees	3,253.80
From Register of State Land Office for fees.....	215.25
From United States on War and Defense Fund	102,247.86
From sale of arms, accoutrements, waste paper, etc.....	5,213.06
Total.....	\$2,129,577.51

Coupon Fund—transferred from General Revenue	\$ 42,000.00
Railroad Fund—from taxes on Railroads in 1872.....	171,152.98
Swamp-Land Fund—from United States.....	4,566.35
Agricultural College Endowment Fund—from sale of lands.....	4,689.72
Permanent School-Fund—5 per cent. fund from United States and Eads' Loans.....	15,574.14
Temporary School-Fund—from interest on State bonds and Eads' Loans.....	40,378.16
Total receipts for two years	\$2,407,938.86
Balance in Treasury November 4, 1871	95,969.26
Total	\$2,503,908.12

DISBURSEMENTS.

The disbursements were for the following purposes :

General Revenue—	
Redemption of Auditor's warrants	\$2,177,293.04
Interest allowed on same	2,807.65
Total	\$2,180,100.69
Railroad Fund—	
Apportioned to State	\$ 34,230.63
Apportioned to Counties.....	136,922.35—\$171,152.98
Swamp-Land Fund—paid to counties.....	3,723.96
Coupon Fund—redemption of coupons	42,098.00
Permanent School-Fund—apportioned to counties.....	8,833.46
Temporary School-Fund—apportioned to counties	40,770.99
Total disbursements for two years.....	\$2,446,680.08
Balance in Treasury November 1, 1873	57,228.04
Total.....	\$2,503,908.12

2d—STATE INDEBTEDNESS.

War Defense Fund, 7 per cent. bonds issued under chapter 16, acts of extra session of 1861, due July 1, 1881.....	\$ 300,000.00
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The Revenue Fund has also become responsible to the School Fund for the following bonds :

Bond No. 1, issued to the Permanent School Fund of the State, dated November 12, 1864, interest payable on the 1st days of January and July in each year at 8 per cent. for	\$ 122,295.75
Bond No. 2, issued to the Permanent School Fund of the State, dated March 2, 1868; interest payable on the 1st days of January and July in each year at 8 per cent. for.....	112,202.26
Bond No. 3, issued to the Permanent School Fund of the State, dated November 1, 1871, interest payable on the first days of January and July in each year at 8 per cent. for.....	8,558.14

[This last bond, No. 3, was issued for losses to Permanent School Fund, in accordance with article 7, section 3, of new constitution, and of section 2, chapter 134, acts of 1861.]

Total bonded indebtedness	\$ 543,056.15
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3D—EXPENDITURES OF STATE REVENUE.

Showing the Amount of Warrants issued, and to what Account charged, and other Expenditures of General Revenue during the two Fiscal Years ending November 1st, 1873.

ACCOUNTS.	AMOUNT EXPENDED.
Adjutant-General's salary.....	\$ 3,833.18
Adjutant-General's Clerks' fund.....	2,050.73
Attorney-General's salary and <i>per diem</i>	4,373.75
Auditor of State's salary.....	4,400.00
Auditor of State's Deputy's salary.....	2,450.00
Auditor of State's Contingent Fund.....	2,859.77
Circuit Judge's salary, 1st Circuit, 1st District.....	1,875.00
Circuit Judge's salary, 2d Circuit, 1st District.....	2,000.00
Circuit Judge's salary, 1st Judicial Circuit.....	1,649.97
Circuit Judge's salary, 1st Circuit, 2d District.....	1,875.00
Circuit Judge's salary, 2d Circuit, 2d District.....	2,895.83
Circuit Judge's salary, 2d Judicial Circuit.....	1,833.32
Circuit Judge's salary, 1st Circuit, 3d District.....	1,875.00
Circuit Judge's salary, 2d Circuit, 3d District.....	2,100.00
Circuit Judge's salary, 3d Judicial Circuit.....	1,649.98
Circuit Judge's salary, 1st Circuit, 4th District.....	2,125.00
Circuit Judge's salary, 2d Circuit, 4th District.....	1,770.83
Circuit Judge's salary, 4th Judicial Circuit.....	1,619.39
Circuit Judge's salary, 1st Circuit, 5th District.....	1,750.00
Circuit Judge's salary, 2d Circuit, 5th District.....	1,750.00
Circuit Judge's salary, 5th Judicial Circuit.....	1,833.30
Circuit Judge's salary, 1st Circuit, 6th District.....	1,875.00
Circuit Judge's salary, 2d Circuit, 6th District.....	2,250.00
Circuit Judge's salary, 6th Judicial Circuit.....	1,640.25
Circuit Judge's salary, 1st Circuit, 7th District.....	1,750.00
Circuit Judge's salary, 2d Circuit, 7th District.....	2,115.00
Circuit Judge's salary, 7th Judicial Circuit.....	1,436.09
Circuit Judge's salary, 1st Circuit, 8th District.....	2,125.00
Circuit Judge's salary, 2d Circuit, 8th District.....	1,895.83
Circuit Judge's salary, 8th Judicial Circuit.....	1,618.75
Circuit Judge's salary, 1st Circuit, 9th District.....	2,162.50
Circuit Judge's salary, 2d Circuit, 9th District.....	2,125.00
Circuit Judge's salary, 9th Judicial Circuit.....	1,090.25
Circuit Judge's salary, 1st Circuit, 10th District.....	2,250.00
Circuit Judge's salary, 2d Circuit, 10th District.....	1,875.00
Circuit Judge's salary, 10th Judicial Circuit.....	1,833.30
Circuit Judge's salary, 1st Circuit, 11th District.....	1,875.00
Circuit Judge's salary, 2d Circuit, 11th District.....	1,750.00
Circuit Judge's salary, 11th Judicial Circuit.....	1,283.13
Circuit Judge's salary, 1st Circuit, 12th District.....	2,130.00
Circuit Judge's salary, 2d Circuit, 12th District.....	1,875.00
Circuit Judge's salary, 12th Judicial Circuit.....	1,613.40
Circuit Judge's salary, 13th Judicial Circuit.....	1,802.74
District Judge's salary, 1st District.....	3,666.62
District Judge's salary, 2d District.....	4,399.92
District Judge's salary, 3d District.....	4,583.28
District Judge's salary, 4th District.....	4,766.59
District Judge's salary, 5th District.....	4,400.63
District Judge's salary, 6th District.....	4,216.59
District Judge's salary, 7th District.....	4,216.59
District Judge's salary, 8th District.....	4,583.26
District Judge's salary, 9th District.....	4,216.59
District Judge's salary, 10th District.....	4,583.25
District Judge's salary, 11th District.....	3,310.00
District Judge's salary, 12th District.....	4,583.25

ACCOUNTS.	AMOUNTS EXPENDED.
District Judge's salary, 13th District	\$ 1,833.30
District Attorney's salary, 1st District.....	1,150.00
District Attorney's salary, 2d District.....	1,300.00
District Attorney's salary, 3d District.....	1,000.00
District Attorney's salary, 4th District.....	1,200.00
District Attorney's salary, 5th District	1,200.00
District Attorney's salary, 6th District	1,100.00
District Attorney's salary, 7th District.....	1,150.00
District Attorney's salary, 8 h District.....	1,200.00
District Attorney's salary, 9th District.....	1,200.00
District Attorney's salary, 10th District.....	1,200.00
District Attorney's salary, 11th District.....	1,502.78
District Attorney's salary, 12th District.....	1,230.00
District Attorney's salary, 13th District	450.00
Governor's salary and house rent.....	7,050.00
Governor's Contingent Fund.....	1,388.67
Governor's Private Secretary's salary	2,400.00
Janitor and Night Watch	5,645.81
Register of State Land Office's salary	4,400.00
Register of State Land Office's Deputy's salary	2,400.00
Register of State Land Office's Contingent Fund	544.10
Superintendent of Agricultural College and Farm salary	1 916.65
Secretary of State's salary	4,399.33
Secretary of State's Deputy's salary	2,400.00
Secretary of State's Contingent Fund	1,137.40
State Treasurer's salary	4 400.33
State Treasurer's Deputy's salary.....	2,400.00
State Treasurer's Contingent Fund.....	1,082.25
State Superintendent of Weights and Measures	100.00
Superintendent of Public Instruction's salary.....	4,399.67
Superintendent of Public Instructions Deputy's salary	2,375.00
Superintendent of Public Instruction Contingent Expenses.....	*1,052.15
Superintendent of Public Instruction Clerk's Fund	980.00
Supreme Judge's salary, Hon. J. M. Beck.....	4,600.00
Supreme Judge's salary, Hon. C. C. Cole	5,940.00
Supreme Judge's salary, Hon. J. G. Day.....	6,000.00
Supreme Judge's salary, Hon. W. E. Miller	6,000.00
Supreme Judge's Clerk hire for Chief Justice	1,500.00
Supreme Court Contingent Fund.....	8,126.50
State Librarian's salary	1,900.00
General Contingent Fund	12,921.83
Miscellaneous Expenses.....	811.42
Asylum for Orphans at Andrew	5,000.00
Agricultural Societies.....	34,766.00
Agricultural College Improvements.....	38,500.00
Agricultural College Trustees Mileage.....	4,217.00
Arrest of Fugitives	2,038.15
Adjusting Permanent School Fund accounts	578.40
Blind, Institution for (Support and pupilage).....	48,280.00
Blind, Institution for (Clothing account).....	2,142.92
Blind, Institution for (Improvements)	68,700.00
Commissioner to Washington, (Dewey).....	3,520.93
Commissioner to Washington, (Harvey)	672.75
Commissioner to Washington, (Cleghorn).....	2,274.95
Commissioners of Immigration, (Support)	9,461.23
Commissioners of Immigration, (Mileage).....	647.95
Commissioners to Revise Laws.....	8,325.30
Code of 1873, (Editor and Clerk).....	2,780.00
Deaf and Dumb Institute, (Support and pupilage).....	54,457.77

*\$750.00 of this amount was paid to Hon. A. S. Kissell, in accordance with Attorney General's opinion.

AUDITOR'S STATEMENT.

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ACCOUNTS.	AMOUNTS EXPENDED.
Deaf and Dumb Institute, (Building at Council Bluffs)	\$ 24,691.59
Deaf and Dumb Institute, (Clothing account)	360.00
Des Moines River Lands	248.90
Des Moines River Land Commissioners	5,790.60
Educational Journal	297.00
Expenses of Census Board Assessing Railroads	20.00
First Iowa Cavalry Claims	1,423.96
Fourteenth General Assembly, (Mileage and <i>per diem</i>)	113,392.17
Fourteenth General Assembly, (Newspapers)	5,908.65
Fourteenth General Assembly, (Postage)	8,701.69
Fourteenth General Assembly, (Special appropriations)	10,866.90
Fourteenth General Assembly, (Adjourned Session, <i>per diem</i> , Postage and Stationery)	40,824.51
Fourteenth General Assembly, Adjourned Session, (Special appropriations and Postage)	3,718.61
Gray Uniform Claims	313.30
Hospital for Insane, Mt Pleasant, (County dues)	184,000.00
Hospital for Insane, Mt. Pleasant, (State dues)	21,985.00
Hospital for Insane, Mt. Pleasant, Trustees expenses)	1,243.35
Hospital for Insane, Mt. Pleasant, (Improvements)	20,100.00
Hospital for Insane, Independence, (Building)	200,000.00
Hospital for Insane Independence, (County dues)	22,000.00
Hospital for Insane, Independence, (Trustees expenses)	784.36
Hospital for Insane, (Commissioner's expenses to examine patients)	116.90
Hospital for Insane, (Superintendent's expenses)	36.80
Iowa Soldiers' Orphans' Home, (Support)	138,880.00
Iowa Soldiers' Orphans' Home, (Improvements)	12,700.00
Iowa Soldiers' Orphans' Home, (Trustees' mileage)	1,756.20
Interest on School Fund Loans	38,557.15
Interest on War Bonds	42,000.00
Indexing and Distributing Journals and Laws	5,500.00
New Capitol Building	258,150.41
Penitentiary, Fort Madison, (Expenses of Census Board)	17.70
Penitentiary, Fort Madison, (Guard pay)	26,167.88
Penitentiary, Fort Madison, (Improvements)	6,600.00
Penitentiary, Fort Madison, (Visitors)	138.90
Penitentiary, Fort Madison, (Clerk's salary)	1,500.00
Penitentiary, Fort Madison, (Chaplain's salary)	1,200.00
Penitentiary, Fort Madison, (Physician's salary)	1,200.00
Penitentiary, Fort Madison, (Warden's salary)	3,000.00
Penitentiary, Fort Madison, (Deputy Warden's salary)	1,999.92
Penitentiary, Anamosa, (Building)	50,000.00
Penitentiary, Anamosa, (Support)	825.00
Penitentiary, Anamosa, (Reward for escaped convicts)	50.00
Permanent School Fund Costs	179.55
Publishing Laws in Newspapers	64,379.36
Providential Contingencies	5,290.60
Presidential Election Returns	1,502.99
Quartermaster General's Expenses	4,420.00
Repairs in Land Office	300.00
Relief of Metz	212.50
Swamp Land Indemnity Fund Expenses	15.00
State Reform School, (Support)	31,000.00
State Reform School, (Building)	40,947.05
State Reform School, (Trustees' Mileage)	1,216.50
State Binding	35,217.55
State Printing	36,773.73
State Horticultural Society, (Support)	1,000.00
State University, (Improvement and Support)	53,700.00
State University, (Trustees' mileage)	2,166.00
State Historical Society, (Support)	1,000.00

ACCOUNTS.	AMOUNTS EXPENDED.
Stationery.....	\$ 53.108.77
Supreme Court Reports.....	12 500.00
State Library.....	1,613.12
Teachers' Institutes.....	8,150.00
War and Defense Fund (Revenue).....	908.91
War Claims of Counties and Cities.....	10,163.26
Total Amount of Warrants issued during the two years.....	\$ 2,164,650.91
Interest paid on Revenue Warrants redeemed	2,807.65
Mileage to County Treasurers and Banks.....	5,324.69
Total Expenditures.....	\$ 2,172,783.25

The foregoing is an accurate statement of the receipts and expenditures of the public moneys for the two years ending on the first day of November, A. D. 1873, as shown by the books in this office.

JOHN RUSSELL, Auditor of State.

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APPENDIX.

No evidence has been received at the office of the secretary of state that Chapter 52, entitled "An Act to Amend Section 509 of the Code of 1873," has been published in the *Chariton Leader*, one of the papers named in the act.

I hereby certify that chapter 56 of the foregoing acts, being "An Act to Amend Sections 3181 and 3182 of the Code of 1873," was published, at Des Moines, in *The Iowa Daily State Register* April 4, and in the *Iowa State Leader* April 9, 1874.

JOSIAH T. YOUNG, Secretary of State.

ERRATA.

For errors in titles, and references therein, see Tables of Contents at beginning of book.

